



Iowa General Assembly
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House Amendment 1550

PAG LIN

1 1 Amend the amendment, H=1525, to Senate File 511,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 3, after line 49 by inserting:
1 5 <Sec. _____. SUPREME COURT SALARIES. Notwithstanding
1 6 the annual salary rates established by 2008 Iowa Acts,
1 7 chapter 1191, section 11, for the chief justice of the
1 8 supreme court and the justices of the supreme court,
1 9 the annual salary of any justice who was on the supreme
1 10 court as of January 1, 2011, shall be reduced to equal
1 11 the annual salaries of members of the general assembly
1 12 as follows:
1 13 1. The chief justice of the supreme court shall
1 14 receive an annual salary of thirty=seven thousand five
1 15 hundred dollars beginning upon the effective date of
1 16 this section and every subsequent year thereafter while
1 17 serving as chief justice of the supreme court.
1 18 2. A justice of the supreme court shall receive an
1 19 annual salary of twenty=five thousand dollars beginning
1 20 upon the effective date of this section and every
1 21 subsequent year thereafter while serving as a justice
1 22 of the supreme court.>

ALONS of Sioux
H1525.2318 (2) 84
jm/jp



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House Amendment 1551

PAG LIN

1 1 Amend the amendment, H=1525, to Senate File 511,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 1, by striking lines 5 and 6.
1 5 #2. By striking page 3, line 50, through page 6,
1 6 line 44.

T. TAYLOR of Linn
H1525.2319 (3) 84
jm/jp



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House Amendment 1552

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1 1 Amend the amendment, S=3213, to Senate File 512, as
1 2 passed by the Senate, as follows:
1 3 #1. Page 1, by striking lines 3 and 4 and inserting:
1 4 <____. Page 1, before line 1 by inserting the
1 5 following:>
1 6 #2. By striking page 8, line 42, through page 9,
1 7 line 20, and inserting:
1 8 <DIVISION IV
1 9 APPROPRIATIONS FOR STATE PUBLIC DEFENDER>
1 10 #3. Page 9, before line 21 by inserting:
1 11 <____. Page 1, line 18, by striking <This Act> and
1 12 inserting <This division of this Act>>
1 13 #4. Page 9, lines 25 and 26, by striking
1 14 <authorizing appropriation transfers,> and inserting
1 15 <making appropriations,>
1 16 #5. By renumbering as necessary.
S3213.2266.S (1) 84
jh



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House Amendment 1553

PAG LIN

1 1 Amend the amendment, H=1453, to Senate File 406,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 1, line 10, after <district> by inserting
1 5 <, either in person or via the Iowa communications
1 6 network at one location in the district,>

PETTENGILL of Benton
H1453.2333 (1) 84
av/sc



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House Amendment 1554

PAG LIN

1 1 Amend the amendment, H=1525, to Senate File 511,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 2, by striking lines 4 through 9.
1 5 #2. By striking page 4, line 49, through page 5,
1 6 line 4.
1 7 #3. By renumbering as necessary.

MURPHY of Dubuque
H1525.2336 (1) 84
jm/jp



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House Amendment 1555

PAG LIN

1 1 Amend the amendment, H=1453, to Senate File 406,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 1, line 6, after <hearing> by inserting <,
1 5 in person and via the Iowa communications network or

1 6 other web-based interactive venues,>

PETERSEN of Polk
H1453.2321 (2) 84
av/sc



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House Amendment 1556

PAG LIN

1 1 Amend the amendment, H=1547, to House File 645 as
1 2 follows:
1 3 #1. Page 2, after line 10 by inserting:
1 4 <Sec. _____. Section 299A.12, subsection 1, Code
1 5 2011, is amended to read as follows:
1 6 1. The board of directors of a school district ~~may~~
~~1 7 shall~~ expend moneys received pursuant to section 257.6,
1 8 subsection 1, paragraph "a", subparagraph (5), for
1 9 purposes of providing a home school assistance program.
1 10 Sec. _____. Section 299A.12, subsection 2, paragraphs
1 11 a and b, Code 2011, are amended to read as follows:
1 12 a. ~~Assisting~~ Instruction for students and assisting
1 13 parents with instruction.
1 14 b. ~~Student~~ Support services for students and
1 15 ~~teaching-parent support services~~ teaching parents and
1 16 staff support services.
1 17 Sec. _____. Section 299A.12, subsection 2, paragraph
1 18 g, unnumbered paragraph 1, Code 2011, is amended to
1 19 read as follows:
1 20 Resources, materials, computer software and
1 21 hardware, ~~and~~ supplies, and purchased services that
1 22 meet the following criteria:
1 23 Sec. _____. Section 299A.12, subsection 3, paragraphs
1 24 b, c, e, and f, Code 2011, are amended to read as
1 25 follows:
1 26 b. Operational or maintenance costs ~~in addition~~
~~1 27 to the cost of maintaining school district facilities~~
~~1 28 other than those necessary to operate and maintain the~~
1 29 program.
1 30 c. Capital expenditures other than equipment or
1 31 facility acquisition, including the lease or rental of
1 32 space to supplement existing schoolhouse facilities.
1 33 e. Administrative costs ~~other than the costs~~
1 34 necessary to administer the program.
1 35 f. Concurrent and dual enrollment ~~program~~ costs and
1 36 postsecondary enrollment options program costs.>
1 37 #2. By renumbering as necessary.

WILLEMS of Linn
H1547.2322 (2) 84
kh/tm



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House Amendment 1557

PAG LIN

1 1 Amend Senate File 326, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, before line 1 by inserting:
1 4 <Section 1. Section 46.3, Code 2011, is amended to
1 5 read as follows:
1 6 46.3 Appointment of district judicial nominating
1 7 commissioners.
1 8 1. The governor shall appoint five eligible
1 9 electors of each judicial election district to the
1 10 district judicial nominating commission.
1 11 2. ~~Appointments~~ The appointments made by the
1 12 governor shall be to staggered terms of six years each
1 13 and shall be made in the month of January for terms
1 14 commencing February 1 of even-numbered years.
1 15 3. ~~No more than a~~ A simple majority of the
1 16 commissioners appointed shall be of the same gender.
1 17 4. Beginning with terms commencing February 1,
1 18 2012, there shall not be more than one appointed
1 19 commissioner from a county within a judicial election
1 20 district unless each county within the judicial
1 21 election district has an appointed or elected
1 22 commissioner or the number of appointed commissioners
1 23 exceeds the number of counties within the judicial
1 24 election district. This subsection shall not be used
1 25 to remove an appointed commissioner from office prior
1 26 to the expiration of the commissioner's term.>
1 27 #2. Title page, line 1, by striking <judicial
1 28 officers> and inserting <district judicial nominating
1 29 commissioners, judicial officers,>
1 30 #3. By renumbering as necessary.

KAUFMANN of Cedar
SF326.2339 (1) 84
jm/rj



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House Amendment 1558

PAG LIN

1 1 Amend Senate File 510, as passed by the Senate, as
1 2 follows:
1 3 #1. By striking everything after the enacting clause
1 4 and inserting:
1 5
1 6 <DIVISION I
1 7 FY 2011=2012
1 8 Section 1. DEPARTMENT OF JUSTICE.
1 9 1. There is appropriated from the general fund
1 10 of the state to the department of justice for the
1 11 fiscal year beginning July 1, 2011, and ending June 30,
1 12 2012, the following amounts, or so much thereof as is
1 13 necessary, to be used for the purposes designated:
1 14 a. For the general office of attorney general for
1 15 salaries, support, maintenance, and miscellaneous
1 16 purposes, including the prosecuting attorneys training
1 17 program, matching funds for federal violence against
1 18 women grant programs, victim assistance grants, office
1 19 of drug control policy prosecuting attorney program,
1 20 and odometer fraud enforcement, and for not more than
1 21 the following full-time equivalent positions: \$ 7,292,930
1 22 FTEs 212.00
1 23 It is the intent of the general assembly that as
1 24 a condition of receiving the appropriation provided
1 25 in this lettered paragraph, the department of justice
1 26 shall maintain a record of the estimated time incurred
1 27 representing each agency or department.
1 28 b. For victim assistance grants:
1 29 \$ 2,876,400
1 30 The funds appropriated in this lettered paragraph
1 31 shall be used to provide grants to care providers
1 32 providing services to crime victims of domestic abuse
1 33 or to crime victims of rape and sexual assault.
1 34 The balance of the victim compensation fund
1 35 established in section 915.94 may be used to provide
1 36 salary and support of not more than 24 FTEs and
1 37 to provide maintenance for the victim compensation
1 38 functions of the department of justice.
1 39 The department of justice may transfer moneys from
1 40 the victim compensation fund established in section
1 41 915.94 to the victim assistance grant program.
1 42 c. For legal services for persons in poverty grants
1 43 as provided in section 13.34:
1 44 \$ 1,000,000
1 45 2. a. The department of justice, in submitting
1 46 budget estimates for the fiscal year commencing July
1 47 1, 2012, pursuant to section 8.23, shall include a
1 48 report of funding from sources other than amounts
1 49 appropriated directly from the general fund of the
1 50 state to the department of justice or to the office of



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2 1 consumer advocate. These funding sources shall include
2 2 but are not limited to reimbursements from other state
2 3 agencies, commissions, boards, or similar entities, and
2 4 reimbursements from special funds or internal accounts
2 5 within the department of justice. The department of
2 6 justice shall also report actual reimbursements for the
2 7 fiscal year commencing July 1, 2010, and actual and
2 8 expected reimbursements for the fiscal year commencing
2 9 July 1, 2011.

2 10 b. The department of justice shall include the
2 11 report required under paragraph "a", as well as
2 12 information regarding any revisions occurring as a
2 13 result of reimbursements actually received or expected
2 14 at a later date, in a report to the co=chairpersons
2 15 and ranking members of the joint appropriations
2 16 subcommittee on the justice system and the legislative
2 17 services agency. The department of justice shall
2 18 submit the report on or before January 15, 2012.

2 19 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is
2 20 appropriated from the department of commerce revolving
2 21 fund created in section 546.12 to the office of
2 22 consumer advocate of the department of justice for the
2 23 fiscal year beginning July 1, 2011, and ending June 30,
2 24 2012, the following amount, or so much thereof as is
2 25 necessary, to be used for the purposes designated:

2 26 For salaries, support, maintenance, miscellaneous
2 27 purposes, and for not more than the following full=time
2 28 equivalent positions:

2 29	\$ 3,136,163
2 30 FTEs	22.00

2 31 Sec. 3. DEPARTMENT OF CORRECTIONS ==== FACILITIES.

2 32 1. There is appropriated from the general fund of
2 33 the state to the department of corrections for the
2 34 fiscal year beginning July 1, 2011, and ending June
2 35 30, 2012, the following amounts, or so much thereof as
2 36 is necessary, to be used for the operation of adult
2 37 correctional institutions, reimbursement of counties
2 38 for certain confinement costs, and federal prison
2 39 reimbursement, to be allocated as follows:

2 40 a. For the operation of the Fort Madison
2 41 correctional facility, including salaries, support,
2 42 maintenance, and miscellaneous purposes:

2 43	\$ 41,031,283
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2 44 b. For the operation of the Anamosa correctional
2 45 facility, including salaries, support, maintenance, and
2 46 miscellaneous purposes:

2 47	\$ 31,985,974
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2 48 c. For the operation of the Oakdale correctional
2 49 facility, including salaries, support, maintenance, and
2 50 miscellaneous purposes:



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3 1 \$ 54,374,426
3 2 d. For the operation of the Newton correctional
3 3 facility, including salaries, support, maintenance, and
3 4 miscellaneous purposes:
3 5 \$ 25,958,757
3 6 e. For the operation of the Mt. Pleasant
3 7 correctional facility, including salaries, support,
3 8 maintenance, and miscellaneous purposes:
3 9 \$ 25,917,815
3 10 f. For the operation of the Rockwell City
3 11 correctional facility, including salaries, support,
3 12 maintenance, and miscellaneous purposes:
3 13 \$ 9,316,466
3 14 g. For the operation of the Clarinda correctional
3 15 facility, including salaries, support, maintenance, and
3 16 miscellaneous purposes:
3 17 \$ 24,639,518
3 18 Moneys received by the department of corrections as
3 19 reimbursement for services provided to the Clarinda
3 20 youth corporation are appropriated to the department
3 21 and shall be used for the purpose of operating the
3 22 Clarinda correctional facility.
3 23 h. For the operation of the Mitchellville
3 24 correctional facility, including salaries, support,
3 25 maintenance, and miscellaneous purposes:
3 26 \$ 15,615,374
3 27 i. For the operation of the Fort Dodge correctional
3 28 facility, including salaries, support, maintenance, and
3 29 miscellaneous purposes:
3 30 \$ 29,062,235
3 31 j. For reimbursement of counties for temporary
3 32 confinement of work release and parole violators, as
3 33 provided in sections 901.7, 904.908, and 906.17, and
3 34 for offenders confined pursuant to section 904.513:
3 35 \$ 775,092
3 36 k. For federal prison reimbursement, reimbursements
3 37 for out-of-state placements, and miscellaneous
3 38 contracts:
3 39 \$ 239,411
3 40 2. The department of corrections shall use moneys
3 41 appropriated in subsection 1 to continue to contract
3 42 for the services of a Muslim imam and a Native American
3 43 spiritual leader.
3 44 Sec. 4. DEPARTMENT OF CORRECTIONS ====

3 45 ADMINISTRATION. There is appropriated from the general
3 46 fund of the state to the department of corrections for
3 47 the fiscal year beginning July 1, 2011, and ending June
3 48 30, 2012, the following amounts, or so much thereof as
3 49 is necessary, to be used for the purposes designated:
3 50 1. For general administration, including salaries,



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4 1 support, maintenance, employment of an education
4 2 director to administer a centralized education
4 3 program for the correctional system, and miscellaneous
4 4 purposes:
4 5 \$ 4,835,542
4 6 a. It is the intent of the general assembly
4 7 that as a condition of receiving the appropriation
4 8 provided in this lettered paragraph the department of
4 9 corrections shall not, except as otherwise provided
4 10 in paragraph "c", enter into a new contract, unless
4 11 the contract is a renewal of an existing contract,
4 12 for the expenditure of moneys in excess of \$100,000
4 13 during the fiscal year beginning July 1, 2011, for the
4 14 privatization of services performed by the department
4 15 using state employees as of July 1, 2011, or for the
4 16 privatization of new services by the department without
4 17 prior consultation with any applicable state employee
4 18 organization affected by the proposed new contract and
4 19 prior notification of the co=chairpersons and ranking
4 20 members of the joint appropriations subcommittee on the
4 21 justice system.
4 22 b. It is the intent of the general assembly
4 23 that each lease negotiated by the department of
4 24 corrections with a private corporation for the purpose
4 25 of providing private industry employment of inmates in
4 26 a correctional institution shall prohibit the private
4 27 corporation from utilizing inmate labor for partisan
4 28 political purposes for any person seeking election to
4 29 public office in this state and that a violation of
4 30 this requirement shall result in a termination of the
4 31 lease agreement.
4 32 c. It is the intent of the general assembly that as
4 33 a condition of receiving the appropriation provided in
4 34 this subsection the department of corrections shall not
4 35 enter into a lease or contractual agreement pursuant to
4 36 section 904.809 with a private corporation for the use
4 37 of building space for the purpose of providing inmate
4 38 employment without providing that the terms of the
4 39 lease or contract establish safeguards to restrict, to
4 40 the greatest extent feasible, access by inmates working
4 41 for the private corporation to personal identifying
4 42 information of citizens.
4 43 2. For educational programs for inmates at state
4 44 penal institutions:
4 45 \$ 2,308,109
4 46 a. As a condition of receiving the appropriation in
4 47 this subsection, the department of corrections shall
4 48 transfer at least \$300,000 from the canteen operating
4 49 funds established pursuant to section 904.310 to be
4 50 used for correctional educational programs funded in



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5 1 this subsection.

5 2 b. It is the intent of the general assembly that
5 3 moneys appropriated in this subsection shall be used
5 4 solely for the purpose indicated and that the moneys
5 5 shall not be transferred for any other purpose. In
5 6 addition, it is the intent of the general assembly
5 7 that the department shall consult with the community
5 8 colleges in the areas in which the institutions
5 9 are located to utilize moneys appropriated in this
5 10 subsection to fund the high school completion, high
5 11 school equivalency diploma, adult literacy, and adult
5 12 basic education programs in a manner so as to maintain
5 13 these programs at the institutions.

5 14 c. To maximize the funding for educational
5 15 programs, the department shall establish guidelines
5 16 and procedures to prioritize the availability of
5 17 educational and vocational training for inmates based
5 18 upon the goal of facilitating an inmate's successful
5 19 release from the correctional institution.

5 20 d. The director of the department of corrections
5 21 may transfer moneys from Iowa prison industries for use
5 22 in educational programs for inmates.

5 23 e. Notwithstanding section 8.33, moneys
5 24 appropriated in this subsection that remain unobligated
5 25 or unexpended at the close of the fiscal year shall not
5 26 revert but shall remain available to be used only for
5 27 the purposes designated in this subsection until the
5 28 close of the succeeding fiscal year.

5 29 3. For the development of the Iowa corrections
5 30 offender network (ICON) data system:

5 31 \$ 424,364

5 32 4. For offender mental health and substance abuse
5 33 treatment:

5 34 \$ 22,319

5 35 5. For viral hepatitis prevention and treatment:

5 36 \$ 167,881

5 37 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF
5 38 CORRECTIONAL SERVICES.

5 39 1. There is appropriated from the general fund of
5 40 the state to the department of corrections for the
5 41 fiscal year beginning July 1, 2011, and ending June
5 42 30, 2012, for salaries, support, maintenance, and
5 43 miscellaneous purposes, the following amounts, or
5 44 so much thereof as is necessary, to be allocated as
5 45 follows:

5 46 a. For the first judicial district department of
5 47 correctional services:

5 48 \$ 12,020,098

5 49 b. For the second judicial district department of
5 50 correctional services:



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6 1 \$ 10,336,948
6 2 c. For the third judicial district department of
6 3 correctional services:
6 4 \$ 5,599,765
6 5 d. For the fourth judicial district department of
6 6 correctional services:
6 7 \$ 5,391,355
6 8 e. For the fifth judicial district department of
6 9 correctional services, including funding for electronic
6 10 monitoring devices for use on a statewide basis:
6 11 \$ 18,742,129
6 12 f. For the sixth judicial district department of
6 13 correctional services:
6 14 \$ 13,112,563
6 15 g. For the seventh judicial district department of
6 16 correctional services:
6 17 \$ 6,492,814
6 18 h. For the eighth judicial district department of
6 19 correctional services:
6 20 \$ 6,731,055
6 21 2. Each judicial district department of
6 22 correctional services, within the funding available,
6 23 shall continue programs and plans established within
6 24 that district to provide for intensive supervision, sex
6 25 offender treatment, diversion of low-risk offenders
6 26 to the least restrictive sanction available, job
6 27 development, and expanded use of intermediate criminal
6 28 sanctions.
6 29 3. Each judicial district department of
6 30 correctional services shall provide alternatives to
6 31 prison consistent with chapter 901B. The alternatives
6 32 to prison shall ensure public safety while providing
6 33 maximum rehabilitation to the offender. A judicial
6 34 district department of correctional services may also
6 35 establish a day program.
6 36 4. The governor's office of drug control policy
6 37 shall consider federal grants made to the department
6 38 of corrections for the benefit of each of the eight
6 39 judicial district departments of correctional services
6 40 as local government grants, as defined pursuant to
6 41 federal regulations.
6 42 5. The department of corrections shall continue
6 43 to contract with a judicial district department
6 44 of correctional services to provide for the rental
6 45 of electronic monitoring equipment which shall be
6 46 available statewide.
6 47 6. A judicial district department of correctional
6 48 services shall accept into the facilities of the
6 49 district department, offenders assigned from other
6 50 judicial district departments of correctional services.



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7 1 Sec. 6. DEPARTMENT OF CORRECTIONS ==== REALLOCATION
7 2 OF APPROPRIATIONS. Notwithstanding section 8.39,
7 3 within the moneys appropriated in this Act to the
7 4 department of corrections, the department may
7 5 reallocate the moneys appropriated and allocated as
7 6 necessary to best fulfill the needs of the correctional
7 7 institutions, administration of the department, and the
7 8 judicial district departments of correctional services.
7 9 However, in addition to complying with the requirements
7 10 of sections 904.116 and 905.8 and providing notice
7 11 to the legislative services agency, the department
7 12 of corrections shall also provide notice to the
7 13 department of management, prior to the effective date
7 14 of the revision or reallocation of an appropriation
7 15 made pursuant to this section. The department of
7 16 corrections shall not reallocate an appropriation or
7 17 allocation for the purpose of eliminating any program.
7 18 Sec. 7. INTENT ==== REPORTS.
7 19 1. The department of corrections in cooperation
7 20 with townships, the Iowa cemetery associations, and
7 21 other nonprofit or governmental entities may use inmate
7 22 labor during the fiscal year beginning July 1, 2011,
7 23 to restore or preserve rural cemeteries and historical
7 24 landmarks. The department in cooperation with the
7 25 counties may also use inmate labor to clean up roads,
7 26 major water sources, and other water sources around the
7 27 state.
7 28 2. On a quarterly basis the department shall
7 29 provide a status report regarding private=sector
7 30 employment to the legislative services agency beginning
7 31 on July 1, 2011. The report shall include the number
7 32 of offenders employed in the private sector, the
7 33 combined number of hours worked by the offenders, the
7 34 total amount of allowances, and the distribution of
7 35 allowances pursuant to section 904.702, including any
7 36 moneys deposited in the general fund of the state.
7 37 Sec. 8. ELECTRONIC MONITORING REPORT. The
7 38 department of corrections shall submit a report on
7 39 electronic monitoring to the general assembly, to the
7 40 co=chairpersons and the ranking members of the joint
7 41 appropriations subcommittee on the justice system, and
7 42 to the legislative services agency by January 15, 2012.
7 43 The report shall specifically address the number of
7 44 persons being electronically monitored and break down
7 45 the number of persons being electronically monitored
7 46 by offense committed. The report shall also include a
7 47 comparison of any data from the prior fiscal year with
7 48 the current year.
7 49 Sec. 9. STATE AGENCY PURCHASES FROM PRISON
7 50 INDUSTRIES.



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8 1 1. As used in this section, unless the context
8 2 otherwise requires, "state agency" means the government
8 3 of the state of Iowa, including but not limited to
8 4 all executive branch departments, agencies, boards,
8 5 bureaus, and commissions, the judicial branch,
8 6 the general assembly and all legislative agencies,
8 7 institutions within the purview of the state board of
8 8 regents, and any corporation whose primary function is
8 9 to act as an instrumentality of the state.

8 10 2. State agencies are hereby encouraged to purchase
8 11 products from Iowa state industries, as defined in
8 12 section 904.802, when purchases are required and the
8 13 products are available from Iowa state industries.
8 14 State agencies shall obtain bids from Iowa state
8 15 industries for purchases of office furniture during the
8 16 fiscal year beginning July 1, 2011, exceeding \$5,000
8 17 or in accordance with applicable administrative rules
8 18 related to purchases for the agency.

8 19 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

8 20 1. There is appropriated from the general fund of
8 21 the state to the Iowa law enforcement academy for the
8 22 fiscal year beginning July 1, 2011, and ending June 30,
8 23 2012, the following amount, or so much thereof as is
8 24 necessary, to be used for the purposes designated:

8 25 For salaries, support, maintenance, miscellaneous
8 26 purposes, including jailer training and technical
8 27 assistance, and for not more than the following
8 28 full-time equivalent positions:

8 29	\$	448,500
8 30	FTEs	24.55

8 31 It is the intent of the general assembly that the
8 32 Iowa law enforcement academy may provide training of
8 33 state and local law enforcement personnel concerning
8 34 the recognition of and response to persons with
8 35 Alzheimer's disease.

8 36 The Iowa law enforcement academy may temporarily
8 37 exceed and draw more than the amount appropriated in
8 38 this subsection and incur a negative cash balance as
8 39 long as there are receivables equal to or greater than
8 40 the negative balance and the amount appropriated in
8 41 this subsection is not exceeded at the close of the
8 42 fiscal year.

8 43 2. The Iowa law enforcement academy may select
8 44 at least five automobiles of the department of public
8 45 safety, division of state patrol, prior to turning over
8 46 the automobiles to the department of administrative
8 47 services to be disposed of by public auction, and
8 48 the Iowa law enforcement academy may exchange any
8 49 automobile owned by the academy for each automobile
8 50 selected if the selected automobile is used in training



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9 1 law enforcement officers at the academy. However,
9 2 any automobile exchanged by the academy shall be
9 3 substituted for the selected vehicle of the department
9 4 of public safety and sold by public auction with the
9 5 receipts being deposited in the depreciation fund to
9 6 the credit of the department of public safety, division
9 7 of state patrol.

9 8 Sec. 11. STATE PUBLIC DEFENDER. There is
9 9 appropriated from the general fund of the state to the
9 10 office of the state public defender of the department
9 11 of inspections and appeals for the fiscal year
9 12 beginning July 1, 2011, and ending June 30, 2012, the
9 13 following amounts, or so much thereof as is necessary,
9 14 to be allocated as follows for the purposes designated:

9 15 1. For salaries, support, maintenance,
9 16 miscellaneous purposes, and for not more than the
9 17 following full-time equivalent positions:
9 18 \$ 24,083,182
9 19 FTEs 219.00

9 20 2. For the fees of court-appointed attorneys for
9 21 indigent adults and juveniles, in accordance with
9 22 section 232.141 and chapter 815:
9 23 \$ 29,680,929

9 24 Sec. 12. BOARD OF PAROLE. There is appropriated
9 25 from the general fund of the state to the board of
9 26 parole for the fiscal year beginning July 1, 2011, and
9 27 ending June 30, 2012, the following amount, or so much
9 28 thereof as is necessary, to be used for the purposes
9 29 designated:

9 30 For salaries, support, maintenance, miscellaneous
9 31 purposes, and for not more than the following full-time
9 32 equivalent positions:
9 33 \$ 1,053,835
9 34 FTEs 12.50

9 35 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
9 36 appropriated from the general fund of the state to
9 37 the department of public defense for the fiscal year
9 38 beginning July 1, 2011, and ending June 30, 2012, the
9 39 following amounts, or so much thereof as is necessary,
9 40 to be used for the purposes designated:

9 41 1. MILITARY DIVISION
9 42 For salaries, support, maintenance, miscellaneous
9 43 purposes, and for not more than the following full-time
9 44 equivalent positions:
9 45 \$ 5,527,042
9 46 FTEs 313.00

9 47 The military division may temporarily exceed
9 48 and draw more than the amount appropriated in this
9 49 subsection and incur a negative cash balance as long
9 50 as there are receivables of federal funds equal to



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10 1 or greater than the negative balance and the amount
10 2 appropriated in this subsection is not exceeded at the
10 3 close of the fiscal year.

10 4 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
10 5 DIVISION

10 6 For salaries, support, maintenance, miscellaneous
10 7 purposes, and for not more than the following full-time
10 8 equivalent positions:

10 9	\$	1,836,877
10 10	FTEs	40.00

10 11 a. The homeland security and emergency management
10 12 division may temporarily exceed and draw more than the
10 13 amount appropriated in this subsection and incur a
10 14 negative cash balance as long as there are receivables
10 15 of federal funds equal to or greater than the negative
10 16 balance and the amount appropriated in this subsection
10 17 is not exceeded at the close of the fiscal year.

10 18 b. It is the intent of the general assembly that
10 19 the homeland security and emergency management division
10 20 work in conjunction with the department of public
10 21 safety, to the extent possible, when gathering and
10 22 analyzing information related to potential domestic
10 23 or foreign security threats, and when monitoring such
10 24 threats.

10 25 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is
10 26 appropriated from the general fund of the state to
10 27 the department of public safety for the fiscal year
10 28 beginning July 1, 2011, and ending June 30, 2012, the
10 29 following amounts, or so much thereof as is necessary,
10 30 to be used for the purposes designated:

10 31 1. For the department's administrative functions,
10 32 including the criminal justice information system, and
10 33 for not more than the following full-time equivalent
10 34 positions:

10 35	\$	4,007,075
10 36	FTEs	36.00

10 37 2. For the division of criminal investigation,
10 38 including the state's contribution to the peace
10 39 officers' retirement, accident, and disability system
10 40 provided in chapter 97A in the amount of the state's
10 41 normal contribution rate, as defined in section
10 42 97A.8, multiplied by the salaries for which the
10 43 funds are appropriated, to meet federal fund matching
10 44 requirements, and for not more than the following
10 45 full-time equivalent positions:

10 46	\$	12,533,931
10 47	FTEs	159.10

10 48 The department shall employ one additional special
10 49 agent and one additional criminalist for the purpose
10 50 of investigating cold cases. Prior to employing the



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11 1 additional special agent and criminalist authorized
11 2 in this paragraph, the department shall provide a
11 3 written statement to prospective employees that states
11 4 to the effect that the positions are being funded by
11 5 a temporary federal grant and there are no assurances
11 6 that funds from other sources will be available after
11 7 the federal funding expires. If the federal funding
11 8 for the additional positions expires during the fiscal
11 9 year, the number of full-time equivalent positions
11 10 authorized in this subsection is reduced by 2.00 FTEs.
11 11 3. For the criminalistics laboratory fund created
11 12 in section 691.9:
11 13 \$ 302,345
11 14 4. a. For the division of narcotics enforcement,
11 15 including the state's contribution to the peace
11 16 officers' retirement, accident, and disability system
11 17 provided in chapter 97A in the amount of the state's
11 18 normal contribution rate, as defined in section
11 19 97A.8, multiplied by the salaries for which the
11 20 funds are appropriated, to meet federal fund matching
11 21 requirements, and for not more than the following
11 22 full-time equivalent positions:
11 23 \$ 6,429,884
11 24 FTEs 74.00
11 25 b. For the division of narcotics enforcement for
11 26 undercover purchases:
11 27 \$ 109,042
11 28 5. For the division of state fire marshal, for fire
11 29 protection services as provided through the state fire
11 30 service and emergency response council as created in
11 31 the department, and for the state's contribution to the
11 32 peace officers' retirement, accident, and disability
11 33 system provided in chapter 97A in the amount of the
11 34 state's normal contribution rate, as defined in section
11 35 97A.8, multiplied by the salaries for which the funds
11 36 are appropriated, and for not more than the following
11 37 full-time equivalent positions:
11 38 \$ 4,298,707
11 39 FTEs 55.00
11 40 6. For the division of state patrol, for salaries,
11 41 support, maintenance, workers' compensation costs,
11 42 and miscellaneous purposes, including the state's
11 43 contribution to the peace officers' retirement,
11 44 accident, and disability system provided in chapter 97A
11 45 in the amount of the state's normal contribution rate,
11 46 as defined in section 97A.8, multiplied by the salaries
11 47 for which the funds are appropriated, and for not more
11 48 than the following full-time equivalent positions:
11 49 \$ 51,903,233
11 50 FTEs 513.00



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12 1 It is the intent of the general assembly that
12 2 members of the state patrol be assigned to patrol
12 3 the highways and roads in lieu of assignments for
12 4 inspecting school buses for the school districts.
12 5 7. For deposit in the sick leave benefits fund
12 6 established under section 80.42 for all departmental
12 7 employees eligible to receive benefits for accrued sick
12 8 leave under the collective bargaining agreement:
12 9 \$ 279,517
12 10 8. For costs associated with the training and
12 11 equipment needs of volunteer fire fighters:
12 12 \$ 575,520
12 13 a. Notwithstanding section 8.33, moneys
12 14 appropriated in this subsection that remain
12 15 unencumbered or unobligated at the close of the fiscal
12 16 year shall not revert but shall remain available for
12 17 expenditure only for the purpose designated in this
12 18 subsection until the close of the succeeding fiscal
12 19 year.
12 20 b. Notwithstanding section 8.39, within the
12 21 moneys appropriated in this section, the department
12 22 of public safety may reallocate moneys as necessary
12 23 to best fulfill the needs provided for in the
12 24 appropriation. However, the department shall not
12 25 reallocate an appropriation made to the department
12 26 in this section unless notice of the reallocation
12 27 is given to the legislative services agency and
12 28 the department of management prior to the effective
12 29 date of the reallocation. The notice shall include
12 30 information regarding the rationale for reallocating
12 31 the appropriation. The department shall not reallocate
12 32 an appropriation made in this section for the purpose
12 33 of eliminating any program.
12 34 Sec. 15. GAMING ENFORCEMENT.
12 35 1. There is appropriated from the gaming
12 36 enforcement revolving fund created in section 80.43 to
12 37 the department of public safety for the fiscal year
12 38 beginning July 1, 2011, and ending June 30, 2012, the
12 39 following amount, or so much thereof as is necessary,
12 40 to be used for the purposes designated:
12 41 For any direct and indirect support costs for
12 42 agents and officers of the division of criminal
12 43 investigation's excursion gambling boat, gambling
12 44 structure, and racetrack enclosure enforcement
12 45 activities, including salaries, support, maintenance,
12 46 miscellaneous purposes, and for not more than the
12 47 following full-time equivalent positions:
12 48 \$ 9,836,306
12 49 FTEs 120.00
12 50 2. For each additional license to conduct gambling



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13 1 games on an excursion gambling boat, gambling
13 2 structure, or racetrack enclosure issued during
13 3 the fiscal year beginning July 1, 2011, there is
13 4 appropriated from the gaming enforcement fund to
13 5 the department of public safety for the fiscal year
13 6 beginning July 1, 2011, and ending June 30, 2012, an
13 7 additional amount of not more than \$521,000 to be used
13 8 for not more than 6.00 additional full-time equivalent
13 9 positions.

13 10 3. The department of public safety, with the
13 11 approval of the department of management, may employ
13 12 no more than two special agents and four gaming
13 13 enforcement officers for each additional riverboat
13 14 or gambling structure regulated after July 1, 2011,
13 15 and one special agent for each racing facility which
13 16 becomes operational during the fiscal year which
13 17 begins July 1, 2011. One additional gaming enforcement
13 18 officer, up to a total of four per riverboat or
13 19 gambling structure, may be employed for each riverboat
13 20 or gambling structure that has extended operations to
13 21 24 hours and has not previously operated with a 24-hour
13 22 schedule. Positions authorized in this subsection
13 23 are in addition to the full-time equivalent positions
13 24 otherwise authorized in this section.

13 25 Sec. 16. CIVIL RIGHTS COMMISSION. There is
13 26 appropriated from the general fund of the state to the
13 27 Iowa state civil rights commission for the fiscal year
13 28 beginning July 1, 2011, and ending June 30, 2012, the
13 29 following amount, or so much thereof as is necessary,
13 30 to be used for the purposes designated:

13 31 For salaries, support, maintenance, miscellaneous
13 32 purposes, and for not more than the following full-time
13 33 equivalent positions:

13 34	\$	1,297,069
13 35	FTEs	28.00

13 36 The Iowa state civil rights commission may enter
13 37 into a contract with a nonprofit organization to
13 38 provide legal assistance to resolve civil rights
13 39 complaints.

13 40 Sec. 17. 2009 Iowa Acts, chapter 178, section 20,
13 41 is amended to read as follows:

13 42 SEC. 20. CONSUMER EDUCATION AND LITIGATION
13 43 FUND. Notwithstanding section 714.16C, for each
13 44 fiscal year of the period beginning July 1, 2008, and
13 45 ending June 30, ~~2011~~ 2013, the annual appropriations
13 46 in section 714.16C, are increased from \$1,125,000 to
13 47 \$1,875,000, and \$75,000 to \$125,000 respectively.
13 48 Moneys appropriated from the consumer education and
13 49 litigation fund may be allocated for cash flow purposes
13 50 to the victim compensation fund established in section



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14 1 915.94 during each of the fiscal years enumerated,
14 2 provided that any moneys so allocated are returned to
14 3 the consumer education and litigation fund by the end
14 4 of each fiscal year an allocation occurs.
14 5 Sec. 18. IOWA COMMUNICATIONS NETWORK. It is the
14 6 intent of the general assembly that the executive
14 7 branch agencies receiving an appropriation in this Act
14 8 utilize the Iowa communications network or secure other
14 9 electronic communications in lieu of traveling for the
14 10 fiscal year addressed by the appropriations.
14 11 Sec. 19. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
14 12 DIVISION. There is appropriated from the wireless
14 13 E911 emergency communications fund created in section
14 14 34A.7A to the administrator of the homeland security
14 15 and emergency management division of the department of
14 16 public defense for the fiscal year beginning July 1,
14 17 2011, and ending June 30, 2012, an amount not exceeding
14 18 \$200,000 to be used for implementation, support, and
14 19 maintenance of the functions of the administrator and
14 20 program manager under chapter 34A and to employ the
14 21 auditor of the state to perform an annual audit of the
14 22 wireless E911 emergency communications fund.
14 23 Sec. 20. SUPERVISORY EMPLOYEES TO OTHER EMPLOYEES
14 24 ===== RATIO. Notwithstanding section 8A.402, subsection
14 25 2, paragraph "g", for the fiscal year beginning July
14 26 1, 2011, the department of corrections, department of
14 27 public safety, and the judicial district departments of
14 28 correctional services shall be exempt from the target
14 29 ratio of supervisory employees to other employees
14 30 otherwise applicable for that fiscal year under section
14 31 8A.402, subsection 2, paragraph "g".
14 32 Sec. 21. GERIATRIC AND PSYCHIATRIC TREATMENT
14 33 REPORT. The departments of corrections, human
14 34 services, inspections and appeals, and public health,
14 35 and the board of parole, shall jointly study the
14 36 development and establishment of treatment options
14 37 for geriatric and psychiatric patients currently
14 38 under the care, custody, and control of the state
14 39 to provide maximum treatment opportunities for such
14 40 persons while achieving fiscal efficiencies. The
14 41 department of corrections in consultation with the
14 42 other departments and the board of parole, shall
14 43 provide a report detailing the results of the study
14 44 to the co=chairpersons and the ranking members of the
14 45 joint appropriations subcommittee on health and human
14 46 services, the co=chairpersons and ranking members
14 47 of the joint appropriations subcommittee on justice
14 48 system, and the legislative services agency by November
14 49 15, 2011.
14 50

DIVISION ii



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1 FY 2012=2013
2 Sec. 22. DEPARTMENT OF JUSTICE.
3 1. There is appropriated from the general fund
4 of the state to the department of justice for the
5 fiscal year beginning July 1, 2012, and ending June 30,
6 2013, the following amounts, or so much thereof as is
7 necessary, to be used for the purposes designated:
8 a. For the general office of attorney general for
9 salaries, support, maintenance, and miscellaneous
10 purposes, including the prosecuting attorneys training
11 program, matching funds for federal violence against
12 women grant programs, victim assistance grants, office
13 of drug control policy prosecuting attorney program,
14 and odometer fraud enforcement, and for not more than
15 the following full-time equivalent positions:
16 \$ 7,942,930
17 FTEs 212.00
18 It is the intent of the general assembly that as
19 a condition of receiving the appropriation provided
20 in this lettered paragraph, the department of justice
21 shall maintain a record of the estimated time incurred
22 representing each agency or department.
23 b. For victim assistance grants:
24 \$ 2,876,400
25 The funds appropriated in this lettered paragraph
26 shall be used to provide grants to care providers
27 providing services to crime victims of domestic abuse
28 or to crime victims of rape and sexual assault.
29 The balance of the victim compensation fund
30 established in section 915.94 may be used to provide
31 salary and support of not more than 24 FTEs and
32 to provide maintenance for the victim compensation
33 functions of the department of justice.
34 The department of justice may transfer moneys from
35 the victim compensation fund established in section
36 915.94 to the victim assistance grant program.
37 c. For legal services for persons in poverty grants
38 as provided in section 13.34:
39 \$ 1,800,000
40 2. a. The department of justice, in submitting
41 budget estimates for the fiscal year commencing July
42 1, 2013, pursuant to section 8.23, shall include a
43 report of funding from sources other than amounts
44 appropriated directly from the general fund of the
45 state to the department of justice or to the office of
46 consumer advocate. These funding sources shall include
47 but are not limited to reimbursements from other state
48 agencies, commissions, boards, or similar entities, and
49 reimbursements from special funds or internal accounts
50 within the department of justice. The department of



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16 1 justice shall also report actual reimbursements for the
16 2 fiscal year commencing July 1, 2011, and actual and
16 3 expected reimbursements for the fiscal year commencing
16 4 July 1, 2012.

16 5 b. The department of justice shall include the
16 6 report required under paragraph "a", as well as
16 7 information regarding any revisions occurring as a
16 8 result of reimbursements actually received or expected
16 9 at a later date, in a report to the co=chairpersons
16 10 and ranking members of the joint appropriations
16 11 subcommittee on the justice system and the legislative
16 12 services agency. The department of justice shall
16 13 submit the report on or before January 15, 2013.

16 14 Sec. 23. OFFICE OF CONSUMER ADVOCATE. There is
16 15 appropriated from the department of commerce revolving
16 16 fund created in section 546.12 to the office of
16 17 consumer advocate of the department of justice for the
16 18 fiscal year beginning July 1, 2012, and ending June 30,
16 19 2013, the following amount, or so much thereof as is
16 20 necessary, to be used for the purposes designated:
16 21 For salaries, support, maintenance, miscellaneous
16 22 purposes, and for not more than the following full=time
16 23 equivalent positions:
16 24 \$ 3,136,163
16 25 FTEs 22.00

16 26 Sec. 24. DEPARTMENT OF CORRECTIONS ==== FACILITIES.

16 27 1. There is appropriated from the general fund of
16 28 the state to the department of corrections for the
16 29 fiscal year beginning July 1, 2012, and ending June
16 30 30, 2013, the following amounts, or so much thereof as
16 31 is necessary, to be used for the operation of adult
16 32 correctional institutions, reimbursement of counties
16 33 for certain confinement costs, and federal prison
16 34 reimbursement, to be allocated as follows:
16 35 a. For the operation of the Fort Madison
16 36 correctional facility, including salaries, support,
16 37 maintenance, and miscellaneous purposes:
16 38 \$ 41,031,283

16 39 b. For the operation of the Anamosa correctional
16 40 facility, including salaries, support, maintenance, and
16 41 miscellaneous purposes:
16 42 \$ 31,985,974

16 43 c. For the operation of the Oakdale correctional
16 44 facility, including salaries, support, maintenance, and
16 45 miscellaneous purposes:
16 46 \$ 54,374,426

16 47 d. For the operation of the Newton correctional
16 48 facility, including salaries, support, maintenance, and
16 49 miscellaneous purposes:
16 50 \$ 25,958,757



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17 1 e. For the operation of the Mt. Pleasant
17 2 correctional facility, including salaries, support,
17 3 maintenance, and miscellaneous purposes:
17 4 \$ 25,917,815
17 5 f. For the operation of the Rockwell City
17 6 correctional facility, including salaries, support,
17 7 maintenance, and miscellaneous purposes:
17 8 \$ 9,316,466
17 9 g. For the operation of the Clarinda correctional
17 10 facility, including salaries, support, maintenance, and
17 11 miscellaneous purposes:
17 12 \$ 24,639,518
17 13 Moneys received by the department of corrections as
17 14 reimbursement for services provided to the Clarinda
17 15 youth corporation are appropriated to the department
17 16 and shall be used for the purpose of operating the
17 17 Clarinda correctional facility.
17 18 h. For the operation of the Mitchellville
17 19 correctional facility, including salaries, support,
17 20 maintenance, and miscellaneous purposes:
17 21 \$ 15,615,374
17 22 i. For the operation of the Fort Dodge correctional
17 23 facility, including salaries, support, maintenance, and
17 24 miscellaneous purposes:
17 25 \$ 29,062,235
17 26 j. For reimbursement of counties for temporary
17 27 confinement of work release and parole violators, as
17 28 provided in sections 901.7, 904.908, and 906.17, and
17 29 for offenders confined pursuant to section 904.513:
17 30 \$ 775,092
17 31 k. For federal prison reimbursement, reimbursements
17 32 for out-of-state placements, and miscellaneous
17 33 contracts:
17 34 \$ 239,411
17 35 2. The department of corrections shall use moneys
17 36 appropriated in subsection 1 to continue to contract
17 37 for the services of a Muslim imam and a Native American
17 38 spiritual leader.
17 39 Sec. 25. DEPARTMENT OF CORRECTIONS ====

17 40 ADMINISTRATION.

17 41 There is appropriated from the general fund of
17 42 the state to the department of corrections for the
17 43 fiscal year beginning July 1, 2012, and ending June 30,
17 44 2013, the following amounts, or so much thereof as is
17 45 necessary, to be used for the purposes designated:
17 46 1. For general administration, including salaries,
17 47 support, maintenance, employment of an education
17 48 director to administer a centralized education
17 49 program for the correctional system, and miscellaneous
17 50 purposes:



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18 1 \$ 4,835,542
18 2 a. It is the intent of the general assembly
18 3 that as a condition of receiving the appropriation
18 4 provided in this lettered paragraph the department of
18 5 corrections shall not, except as otherwise provided
18 6 in paragraph "c", enter into a new contract, unless
18 7 the contract is a renewal of an existing contract,
18 8 for the expenditure of moneys in excess of \$100,000
18 9 during the fiscal year beginning July 1, 2012, for the
18 10 privatization of services performed by the department
18 11 using state employees as of July 1, 2012, or for the
18 12 privatization of new services by the department without
18 13 prior consultation with any applicable state employee
18 14 organization affected by the proposed new contract and
18 15 prior notification of the co=chairpersons and ranking
18 16 members of the joint appropriations subcommittee on the
18 17 justice system.
18 18 b. It is the intent of the general assembly
18 19 that each lease negotiated by the department of
18 20 corrections with a private corporation for the purpose
18 21 of providing private industry employment of inmates in
18 22 a correctional institution shall prohibit the private
18 23 corporation from utilizing inmate labor for partisan
18 24 political purposes for any person seeking election to
18 25 public office in this state and that a violation of
18 26 this requirement shall result in a termination of the
18 27 lease agreement.
18 28 c. It is the intent of the general assembly that as
18 29 a condition of receiving the appropriation provided in
18 30 this subsection the department of corrections shall not
18 31 enter into a lease or contractual agreement pursuant to
18 32 section 904.809 with a private corporation for the use
18 33 of building space for the purpose of providing inmate
18 34 employment without providing that the terms of the
18 35 lease or contract establish safeguards to restrict, to
18 36 the greatest extent feasible, access by inmates working
18 37 for the private corporation to personal identifying
18 38 information of citizens.
18 39 2. For educational programs for inmates at state
18 40 penal institutions:
18 41 \$ 2,308,109
18 42 a. As a condition of receiving the appropriation in
18 43 this subsection, the department of corrections shall
18 44 transfer at least \$300,000 from the canteen operating
18 45 funds established pursuant to section 904.310 to be
18 46 used for correctional educational programs funded in
18 47 this subsection.
18 48 b. It is the intent of the general assembly that
18 49 moneys appropriated in this subsection shall be used
18 50 solely for the purpose indicated and that the moneys



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19 1 shall not be transferred for any other purpose. In
19 2 addition, it is the intent of the general assembly
19 3 that the department shall consult with the community
19 4 colleges in the areas in which the institutions
19 5 are located to utilize moneys appropriated in this
19 6 subsection to fund the high school completion, high
19 7 school equivalency diploma, adult literacy, and adult
19 8 basic education programs in a manner so as to maintain
19 9 these programs at the institutions.
19 10 c. To maximize the funding for educational
19 11 programs, the department shall establish guidelines
19 12 and procedures to prioritize the availability of
19 13 educational and vocational training for inmates based
19 14 upon the goal of facilitating an inmate's successful
19 15 release from the correctional institution.
19 16 d. The director of the department of corrections
19 17 may transfer moneys from Iowa prison industries for use
19 18 in educational programs for inmates.
19 19 e. Notwithstanding section 8.33, moneys
19 20 appropriated in this subsection that remain unobligated
19 21 or unexpended at the close of the fiscal year shall not
19 22 revert but shall remain available to be used only for
19 23 the purposes designated in this subsection until the
19 24 close of the succeeding fiscal year.
19 25 3. For the development of the Iowa corrections
19 26 offender network (ICON) data system:
19 27 \$ 424,364
19 28 4. For offender mental health and substance abuse
19 29 treatment:
19 30 \$ 22,319
19 31 5. For viral hepatitis prevention and treatment:
19 32 \$ 167,881
19 33 6. For a pilot project establishing a geriatric and
19 34 psychiatric unit for persons under the care, custody,
19 35 and control of the state:
19 36 \$ 1,665,000
19 37 Sec. 26. JUDICIAL DISTRICT DEPARTMENTS OF
19 38 CORRECTIONAL SERVICES.
19 39 1. There is appropriated from the general fund of
19 40 the state to the department of corrections for the
19 41 fiscal year beginning July 1, 2012, and ending June
19 42 30, 2013, for salaries, support, maintenance, and
19 43 miscellaneous purposes, the following amounts, or
19 44 so much thereof as is necessary, to be allocated as
19 45 follows:
19 46 a. For the first judicial district department of
19 47 correctional services:
19 48 \$ 12,020,098
19 49 b. For the second judicial district department of
19 50 correctional services:



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20 1 \$ 10,336,948
20 2 c. For the third judicial district department of
20 3 correctional services:
20 4 \$ 5,599,765
20 5 d. For the fourth judicial district department of
20 6 correctional services:
20 7 \$ 5,391,355
20 8 e. For the fifth judicial district department of
20 9 correctional services, including funding for electronic
20 10 monitoring devices for use on a statewide basis:
20 11 \$ 18,742,129
20 12 f. For the sixth judicial district department of
20 13 correctional services:
20 14 \$ 13,112,563
20 15 g. For the seventh judicial district department of
20 16 correctional services:
20 17 \$ 6,492,814
20 18 h. For the eighth judicial district department of
20 19 correctional services:
20 20 \$ 6,731,055
20 21 2. Each judicial district department of
20 22 correctional services, within the funding available,
20 23 shall continue programs and plans established within
20 24 that district to provide for intensive supervision, sex
20 25 offender treatment, diversion of low-risk offenders
20 26 to the least restrictive sanction available, job
20 27 development, and expanded use of intermediate criminal
20 28 sanctions.
20 29 3. Each judicial district department of
20 30 correctional services shall provide alternatives to
20 31 prison consistent with chapter 901B. The alternatives
20 32 to prison shall ensure public safety while providing
20 33 maximum rehabilitation to the offender. A judicial
20 34 district department of correctional services may also
20 35 establish a day program.
20 36 4. The governor's office of drug control policy
20 37 shall consider federal grants made to the department
20 38 of corrections for the benefit of each of the eight
20 39 judicial district departments of correctional services
20 40 as local government grants, as defined pursuant to
20 41 federal regulations.
20 42 5. The department of corrections shall continue
20 43 to contract with a judicial district department
20 44 of correctional services to provide for the rental
20 45 of electronic monitoring equipment which shall be
20 46 available statewide.
20 47 6. A judicial district department of correctional
20 48 services shall accept into the facilities of the
20 49 district department, offenders assigned from other
20 50 judicial district departments of correctional services.



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21 1 Sec. 27. DEPARTMENT OF CORRECTIONS ==== REALLOCATION
21 2 OF APPROPRIATIONS. Notwithstanding section 8.39,
21 3 within the moneys appropriated in this division of this
21 4 Act to the department of corrections, the department
21 5 may reallocate the moneys appropriated and allocated as
21 6 necessary to best fulfill the needs of the correctional
21 7 institutions, administration of the department, and the
21 8 judicial district departments of correctional services.
21 9 However, in addition to complying with the requirements
21 10 of sections 904.116 and 905.8 and providing notice
21 11 to the legislative services agency, the department
21 12 of corrections shall also provide notice to the
21 13 department of management, prior to the effective date
21 14 of the revision or reallocation of an appropriation
21 15 made pursuant to this section. The department of
21 16 corrections shall not reallocate an appropriation or
21 17 allocation for the purpose of eliminating any program.
21 18 Sec. 28. INTENT ==== REPORTS.
21 19 1. The department of corrections in cooperation
21 20 with townships, the Iowa cemetery associations, and
21 21 other nonprofit or governmental entities may use inmate
21 22 labor during the fiscal year beginning July 1, 2012,
21 23 to restore or preserve rural cemeteries and historical
21 24 landmarks. The department in cooperation with the
21 25 counties may also use inmate labor to clean up roads,
21 26 major water sources, and other water sources around the
21 27 state.
21 28 2. On a quarterly basis the department shall
21 29 provide a status report regarding private=sector
21 30 employment to the legislative services agency beginning
21 31 on July 1, 2012. The report shall include the number
21 32 of offenders employed in the private sector, the
21 33 combined number of hours worked by the offenders, the
21 34 total amount of allowances, and the distribution of
21 35 allowances pursuant to section 904.702, including any
21 36 moneys deposited in the general fund of the state.
21 37 Sec. 29. ELECTRONIC MONITORING REPORT. The
21 38 department of corrections shall submit a report on
21 39 electronic monitoring to the general assembly, to the
21 40 co=chairpersons and the ranking members of the joint
21 41 appropriations subcommittee on the justice system, and
21 42 to the legislative services agency by January 15, 2013.
21 43 The report shall specifically address the number of
21 44 persons being electronically monitored and break down
21 45 the number of persons being electronically monitored
21 46 by offense committed. The report shall also include a
21 47 comparison of any data from the prior fiscal year with
21 48 the current year.
21 49 Sec. 30. STATE AGENCY PURCHASES FROM PRISON
21 50 INDUSTRIES.



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22 1 1. As used in this section, unless the context
22 2 otherwise requires, "state agency" means the government
22 3 of the state of Iowa, including but not limited to
22 4 all executive branch departments, agencies, boards,
22 5 bureaus, and commissions, the judicial branch,
22 6 the general assembly and all legislative agencies,
22 7 institutions within the purview of the state board of
22 8 regents, and any corporation whose primary function is
22 9 to act as an instrumentality of the state.

22 10 2. State agencies are hereby encouraged to purchase
22 11 products from Iowa state industries, as defined in
22 12 section 904.802, when purchases are required and the
22 13 products are available from Iowa state industries.
22 14 State agencies shall obtain bids from Iowa state
22 15 industries for purchases of office furniture during the
22 16 fiscal year beginning July 1, 2012, exceeding \$5,000
22 17 or in accordance with applicable administrative rules
22 18 related to purchases for the agency.

22 19 Sec. 31. IOWA LAW ENFORCEMENT ACADEMY.

22 20 1. There is appropriated from the general fund of
22 21 the state to the Iowa law enforcement academy for the
22 22 fiscal year beginning July 1, 2012, and ending June 30,
22 23 2013, the following amount, or so much thereof as is
22 24 necessary, to be used for the purposes designated:

22 25 For salaries, support, maintenance, miscellaneous
22 26 purposes, including jailer training and technical
22 27 assistance, and for not more than the following
22 28 full-time equivalent positions:

22 29	\$	448,500
22 30	FTEs	24.55

22 31 It is the intent of the general assembly that the
22 32 Iowa law enforcement academy may provide training of
22 33 state and local law enforcement personnel concerning
22 34 the recognition of and response to persons with
22 35 Alzheimer's disease.

22 36 The Iowa law enforcement academy may temporarily
22 37 exceed and draw more than the amount appropriated in
22 38 this subsection and incur a negative cash balance as
22 39 long as there are receivables equal to or greater than
22 40 the negative balance and the amount appropriated in
22 41 this subsection is not exceeded at the close of the
22 42 fiscal year.

22 43 2. The Iowa law enforcement academy may select
22 44 at least five automobiles of the department of public
22 45 safety, division of state patrol, prior to turning over
22 46 the automobiles to the department of administrative
22 47 services to be disposed of by public auction, and
22 48 the Iowa law enforcement academy may exchange any
22 49 automobile owned by the academy for each automobile
22 50 selected if the selected automobile is used in training



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23 1 law enforcement officers at the academy. However,
23 2 any automobile exchanged by the academy shall be
23 3 substituted for the selected vehicle of the department
23 4 of public safety and sold by public auction with the
23 5 receipts being deposited in the depreciation fund to
23 6 the credit of the department of public safety, division
23 7 of state patrol.

23 8 Sec. 32. STATE PUBLIC DEFENDER. There is
23 9 appropriated from the general fund of the state to the
23 10 office of the state public defender of the department
23 11 of inspections and appeals for the fiscal year
23 12 beginning July 1, 2012, and ending June 30, 2013, the
23 13 following amounts, or so much thereof as is necessary,
23 14 to be allocated as follows for the purposes designated:

23 15 1. For salaries, support, maintenance,
23 16 miscellaneous purposes, and for not more than the
23 17 following full-time equivalent positions:
23 18 \$ 24,083,182
23 19 FTEs 219.00

23 20 2. For the fees of court-appointed attorneys for
23 21 indigent adults and juveniles, in accordance with
23 22 section 232.141 and chapter 815:
23 23 \$ 29,680,929

23 24 Sec. 33. BOARD OF PAROLE. There is appropriated
23 25 from the general fund of the state to the board of
23 26 parole for the fiscal year beginning July 1, 2012, and
23 27 ending June 30, 2013, the following amount, or so much
23 28 thereof as is necessary, to be used for the purposes
23 29 designated:

23 30 For salaries, support, maintenance, miscellaneous
23 31 purposes, and for not more than the following full-time
23 32 equivalent positions:
23 33 \$ 1,053,835
23 34 FTEs 12.50

23 35 Sec. 34. DEPARTMENT OF PUBLIC DEFENSE. There is
23 36 appropriated from the general fund of the state to
23 37 the department of public defense for the fiscal year
23 38 beginning July 1, 2012, and ending June 30, 2013, the
23 39 following amounts, or so much thereof as is necessary,
23 40 to be used for the purposes designated:

23 41 1. MILITARY DIVISION
23 42 For salaries, support, maintenance, miscellaneous
23 43 purposes, and for not more than the following full-time
23 44 equivalent positions:
23 45 \$ 5,527,042
23 46 FTEs 313.00

23 47 The military division may temporarily exceed
23 48 and draw more than the amount appropriated in this
23 49 subsection and incur a negative cash balance as long
23 50 as there are receivables of federal funds equal to



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24 1 or greater than the negative balance and the amount
24 2 appropriated in this subsection is not exceeded at the
24 3 close of the fiscal year.

24 4 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
24 5 DIVISION
24 6 For salaries, support, maintenance, miscellaneous
24 7 purposes, and for not more than the following full-time
24 8 equivalent positions:
24 9 \$ 1,836,877
24 10 FTEs 40.00

24 11 a. The homeland security and emergency management
24 12 division may temporarily exceed and draw more than the
24 13 amount appropriated in this subsection and incur a
24 14 negative cash balance as long as there are receivables
24 15 of federal funds equal to or greater than the negative
24 16 balance and the amount appropriated in this subsection
24 17 is not exceeded at the close of the fiscal year.

24 18 b. It is the intent of the general assembly that
24 19 the homeland security and emergency management division
24 20 work in conjunction with the department of public
24 21 safety, to the extent possible, when gathering and
24 22 analyzing information related to potential domestic
24 23 or foreign security threats, and when monitoring such
24 24 threats.

24 25 Sec. 35. DEPARTMENT OF PUBLIC SAFETY. There is
24 26 appropriated from the general fund of the state to
24 27 the department of public safety for the fiscal year
24 28 beginning July 1, 2012, and ending June 30, 2013, the
24 29 following amounts, or so much thereof as is necessary,
24 30 to be used for the purposes designated:

24 31 1. For the department's administrative functions,
24 32 including the criminal justice information system, and
24 33 for not more than the following full-time equivalent
24 34 positions:
24 35 \$ 4,007,075
24 36 FTEs 36.00

24 37 2. For the division of criminal investigation,
24 38 including the state's contribution to the peace
24 39 officers' retirement, accident, and disability system
24 40 provided in chapter 97A in the amount of the state's
24 41 normal contribution rate, as defined in section
24 42 97A.8, multiplied by the salaries for which the
24 43 funds are appropriated, to meet federal fund matching
24 44 requirements, and for not more than the following
24 45 full-time equivalent positions:
24 46 \$ 12,533,931
24 47 FTEs 159.10

24 48 The department shall employ one additional special
24 49 agent and one additional criminalist for the purpose
24 50 of investigating cold cases. Prior to employing the



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25 1 additional special agent and criminalist authorized
25 2 in this paragraph, the department shall provide a
25 3 written statement to prospective employees that states
25 4 to the effect that the positions are being funded by
25 5 a temporary federal grant and there are no assurances
25 6 that funds from other sources will be available after
25 7 the federal funding expires. If the federal funding
25 8 for the additional positions expires during the fiscal
25 9 year, the number of full-time equivalent positions
25 10 authorized in this subsection is reduced by 2.00 FTEs.
25 11 3. For the criminalistics laboratory fund created
25 12 in section 691.9:
25 13 \$ 302,345
25 14 4. a. For the division of narcotics enforcement,
25 15 including the state's contribution to the peace
25 16 officers' retirement, accident, and disability system
25 17 provided in chapter 97A in the amount of the state's
25 18 normal contribution rate, as defined in section
25 19 97A.8, multiplied by the salaries for which the
25 20 funds are appropriated, to meet federal fund matching
25 21 requirements, and for not more than the following
25 22 full-time equivalent positions:
25 23 \$ 6,429,884
25 24 FTEs 74.00
25 25 b. For the division of narcotics enforcement for
25 26 undercover purchases:
25 27 \$ 109,042
25 28 5. For the division of state fire marshal, for fire
25 29 protection services as provided through the state fire
25 30 service and emergency response council as created in
25 31 the department, and for the state's contribution to the
25 32 peace officers' retirement, accident, and disability
25 33 system provided in chapter 97A in the amount of the
25 34 state's normal contribution rate, as defined in section
25 35 97A.8, multiplied by the salaries for which the funds
25 36 are appropriated, and for not more than the following
25 37 full-time equivalent positions:
25 38 \$ 4,298,707
25 39 FTEs 55.00
25 40 6. For the division of state patrol, for salaries,
25 41 support, maintenance, workers' compensation costs,
25 42 and miscellaneous purposes, including the state's
25 43 contribution to the peace officers' retirement,
25 44 accident, and disability system provided in chapter 97A
25 45 in the amount of the state's normal contribution rate,
25 46 as defined in section 97A.8, multiplied by the salaries
25 47 for which the funds are appropriated, and for not more
25 48 than the following full-time equivalent positions:
25 49 \$ 55,403,233
25 50 FTEs 533.00



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26 1 It is the intent of the general assembly that
26 2 members of the state patrol be assigned to patrol
26 3 the highways and roads in lieu of assignments for
26 4 inspecting school buses for the school districts.
26 5 7. For deposit in the sick leave benefits fund
26 6 established under section 80.42 for all departmental
26 7 employees eligible to receive benefits for accrued sick
26 8 leave under the collective bargaining agreement:
26 9 \$ 279,517
26 10 8. For costs associated with the training and
26 11 equipment needs of volunteer fire fighters:
26 12 \$ 760,520
26 13 a. Notwithstanding section 8.33, moneys
26 14 appropriated in this subsection that remain
26 15 unencumbered or unobligated at the close of the fiscal
26 16 year shall not revert but shall remain available for
26 17 expenditure only for the purpose designated in this
26 18 subsection until the close of the succeeding fiscal
26 19 year.
26 20 b. Notwithstanding section 8.39, within the
26 21 moneys appropriated in this section, the department
26 22 of public safety may reallocate moneys as necessary
26 23 to best fulfill the needs provided for in the
26 24 appropriation. However, the department shall not
26 25 reallocate an appropriation made to the department
26 26 in this section unless notice of the reallocation
26 27 is given to the legislative services agency and
26 28 the department of management prior to the effective
26 29 date of the reallocation. The notice shall include
26 30 information regarding the rationale for reallocating
26 31 the appropriation. The department shall not reallocate
26 32 an appropriation made in this section for the purpose
26 33 of eliminating any program.
26 34 Sec. 36. GAMING ENFORCEMENT.
26 35 1. There is appropriated from the gaming
26 36 enforcement revolving fund created in section 80.43 to
26 37 the department of public safety for the fiscal year
26 38 beginning July 1, 2012, and ending June 30, 2013, the
26 39 following amount, or so much thereof as is necessary,
26 40 to be used for the purposes designated:
26 41 For any direct and indirect support costs for
26 42 agents and officers of the division of criminal
26 43 investigation's excursion gambling boat, gambling
26 44 structure, and racetrack enclosure enforcement
26 45 activities, including salaries, support, maintenance,
26 46 miscellaneous purposes, and for not more than the
26 47 following full-time equivalent positions:
26 48 \$ 9,836,306
26 49 FTEs 120.00
26 50 2. For each additional license to conduct gambling



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27 1 games on an excursion gambling boat, gambling
27 2 structure, or racetrack enclosure issued during
27 3 the fiscal year beginning July 1, 2012, there is
27 4 appropriated from the gaming enforcement fund to
27 5 the department of public safety for the fiscal year
27 6 beginning July 1, 2012, and ending June 30, 2013, an
27 7 additional amount of not more than \$521,000 to be used
27 8 for not more than 6.00 additional full-time equivalent
27 9 positions.

27 10 3. The department of public safety, with the
27 11 approval of the department of management, may employ
27 12 no more than two special agents and four gaming
27 13 enforcement officers for each additional riverboat
27 14 or gambling structure regulated after July 1, 2012,
27 15 and one special agent for each racing facility which
27 16 becomes operational during the fiscal year which
27 17 begins July 1, 2012. One additional gaming enforcement
27 18 officer, up to a total of four per riverboat or
27 19 gambling structure, may be employed for each riverboat
27 20 or gambling structure that has extended operations to
27 21 24 hours and has not previously operated with a 24-hour
27 22 schedule. Positions authorized in this subsection
27 23 are in addition to the full-time equivalent positions
27 24 otherwise authorized in this section.

27 25 Sec. 37. CIVIL RIGHTS COMMISSION. There is
27 26 appropriated from the general fund of the state to the
27 27 Iowa state civil rights commission for the fiscal year
27 28 beginning July 1, 2012, and ending June 30, 2013, the
27 29 following amount, or so much thereof as is necessary,
27 30 to be used for the purposes designated:

27 31 For salaries, support, maintenance, miscellaneous
27 32 purposes, and for not more than the following full-time
27 33 equivalent positions:

27 34	\$	1,297,069
27 35	FTEs	28.00

27 36 The Iowa state civil rights commission may enter
27 37 into a contract with a nonprofit organization to
27 38 provide legal assistance to resolve civil rights
27 39 complaints.

27 40 Sec. 38. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
27 41 DIVISION. There is appropriated from the wireless
27 42 E911 emergency communications fund created in section
27 43 34A.7A to the administrator of the homeland security
27 44 and emergency management division of the department of
27 45 public defense for the fiscal year beginning July 1,
27 46 2012, and ending June 30, 2013, an amount not exceeding
27 47 \$200,000 to be used for implementation, support, and
27 48 maintenance of the functions of the administrator and
27 49 program manager under chapter 34A and to employ the
27 50 auditor of the state to perform an annual audit of the



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28 1 wireless E911 emergency communications fund.
28 2 Sec. 39. SUPERVISORY EMPLOYEES TO OTHER EMPLOYEES
28 3 ==== RATIO. Notwithstanding section 8A.402, subsection
28 4 2, paragraph "g", for the fiscal year beginning July
28 5 1, 2011, the department of corrections, department of
28 6 public safety, and the judicial district departments of
28 7 correctional services shall be exempt from the target
28 8 ratio of supervisory employees to other employees
28 9 otherwise applicable for that fiscal year under section
28 10 8A.402, subsection 2, paragraph "g".>

WORTHAN of Buena Vista
SF510.2265 (1) 84
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House Amendment 1559

PAG LIN

1 1 Amend House File 484, as passed by the House, as
1 2 follows:
1 3 #1. Page 4, line 10, by striking <July 1, 2011> and
1 4 inserting <March 1, 2012>
1 5 #2. Page 4, line 11, after <identify> by inserting
1 6 <or have identified>
1 7 #3. Page 4, line 21, after <identify> by inserting
1 8 <or have identified>
1 9 #4. Page 4, after line 32, by inserting:
1 10 <c. The Iowa public employees' retirement system,
1 11 acting on behalf of the system and other public funds
1 12 subject to this section, may develop and issue a
1 13 request for proposals for third=party services to
1 14 complete the identification of scrutinized companies
1 15 and the compilation of a scrutinized companies list.
1 16 The request for proposals may request bids for optional
1 17 services related to this purpose, including but not
1 18 limited to provision of notice of such scrutinized
1 19 companies as required in subsection 2. The Iowa public
1 20 employees' retirement system shall consult with all
1 21 other public funds on the development of the request
1 22 for proposals, however selection of a successful
1 23 proposal and the final scope of services to be provided
1 24 shall be determined only by those public funds that
1 25 have agreed to utilize the third=party services. If
1 26 more than one public fund decides to utilize the
1 27 third=party services, the participating public funds
1 28 shall equally share the costs of such services.>
1 29 #5. Page 4, line 35, after <send> by inserting <or
1 30 have sent>
1 31 #6. Page 5, line 5, after <fund> by inserting <or
1 32 its representative>
1 33 #7. Page 5, line 10, after <send> by inserting <or
1 34 have sent>
1 35 #8. Page 5, line 20, after <The public fund> by
1 36 inserting <or its representative>
1 37 #9. By renumbering as necessary.
HF484.2320.S (1) 84
jh



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House Amendment 1560

PAG LIN

1 1 Amend Senate File 482, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 6, after line 3 by inserting:
1 4 <DIVISION _____
1 5 INMATES OF PUBLIC INSTITUTIONS ==== MEDICAID ELIGIBILITY
1 6 Sec. _____. NEW SECTION. 249A.38 Inmates of public
1 7 institutions ==== suspension or termination of medical
1 8 assistance.
1 9 1. The following conditions shall apply to an
1 10 individual who is an inmate of a public institution as
1 11 defined in 42 C.F.R. { 435.1010, who is enrolled in the
1 12 medical assistance program at the time of commitment to
1 13 the public institution, and who is eligible for medical
1 14 assistance by reason of disability or being sixty=five
1 15 years of age or older:
1 16 a. The department shall suspend the individual's
1 17 eligibility for up to the initial twelve months of
1 18 the period of commitment. The department shall delay
1 19 the suspension of eligibility for a period of up to
1 20 the first thirty days of commitment if such delay is
1 21 approved by the centers for Medicare and Medicaid
1 22 services of the United States department of health
1 23 and human services. If such delay is not approved,
1 24 the department shall suspend eligibility during the
1 25 entirety of the initial twelve months of the period
1 26 of commitment. Claims submitted on behalf of the
1 27 individual under the medical assistance program for
1 28 covered services provided during the delay period shall
1 29 only be reimbursed if federal financial participation
1 30 is applicable to such claims.
1 31 b. The department shall terminate an individual's
1 32 eligibility following a twelve=month period of
1 33 suspension of the individual's eligibility under
1 34 paragraph "a".
1 35 2. a. A public institution shall provide the
1 36 department and the social security administration with
1 37 a monthly report of the individuals who are committed
1 38 to the public institution and of the individuals who
1 39 are discharged from the public institution.
1 40 b. The department shall provide a public
1 41 institution with the forms necessary to be used
1 42 by the individual in expediting restoration of the
1 43 individual's medical assistance benefits upon discharge
1 44 from the public institution.
1 45 3. This section applies to individuals as specified
1 46 in subsection 1 on or after January 1, 2012.
1 47 4. The department may adopt rules pursuant to
1 48 chapter 17A to implement this section.
1 49 Sec. _____. IMPLEMENTATION. The department of human
1 50 services shall do all of the following:



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2 1 1. Request any waiver or approval necessary from
2 2 the centers for Medicare and Medicaid services of the
2 3 United States department of health and human services
2 4 to provide for the delay in suspension of eligibility
2 5 as provided in this Act beginning January 1, 2012. The
2 6 department shall implement the delay period to the
2 7 maximum extent of the federal approval.
2 8 2. Develop a process for suspension of medical
2 9 assistance eligibility for individuals as specified in
2 10 this Act beginning January 1, 2012.
2 11 3. Incorporate provisions for suspension and
2 12 termination of medical assistance eligibility for
2 13 inmates of public institutions within any future
2 14 redesign of the medical assistance program eligibility
2 15 information management system.
2 16 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
2 17 of this Act, being deemed of immediate importance,
2 18 takes effect upon enactment.>
2 19 #2. By renumbering as necessary.

HEATON of Henry

HEDDENS of Story
SF482.2316 (3) 84
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House File 672 - Introduced

HOUSE FILE
BY COMMITTEE ON WAYS AND
MEANS

(SUCCESSOR TO HF 634)
(SUCCESSOR TO HSB 201)

A BILL FOR

1 An Act relating to wind and other sources of renewable energy
2 development and production.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 2705HZ (3) 84
rn/nh



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1 1 Section 1. Section 476B.5, subsection 4, Code 2011, is
1 2 amended to read as follows:
1 3 4. The maximum amount of nameplate generating capacity of
1 4 all qualified facilities the board may find eligible under
1 5 this chapter shall not exceed ~~one hundred~~ fifty megawatts of
1 6 nameplate generating capacity.
1 7 Sec. 2. Section 476C.1, subsection 6, paragraph d, Code
1 8 2011, is amended to read as follows:
1 9 d. Was initially placed into service on or after July 1,
1 10 2005, and before January 1, ~~2012~~ 2015.
1 11 Sec. 3. Section 476C.1, subsection 6, Code 2011, is amended
1 12 by adding the following new paragraphs:
1 13 NEW PARAGRAPH. e. For applications filed on or after July
1 14 1, 2011, is a facility of not less than three-fourths megawatts
1 15 of nameplate generating capacity or the energy production
1 16 capacity equivalent if all or a portion of the renewable energy
1 17 produced is for on-site consumption by the producer.
1 18 NEW PARAGRAPH. f. For applications filed on or after
1 19 July 1, 2011, except for wind energy conversion facilities,
1 20 is a facility of no greater than five megawatts of nameplate
1 21 generating capacity or the energy production capacity
1 22 equivalent.
1 23 Sec. 4. Section 476C.1, subsection 8, Code 2011, is amended
1 24 to read as follows:
1 25 8. "Heat for a commercial purpose" means the heat in British
1 26 thermal unit equivalents from refuse-derived fuel, methane, or
1 27 other biogas produced in this state either for commercial use
1 28 by a producer for on-site consumption or sold to a purchaser of
1 29 renewable energy for use for a commercial purpose in this state
1 30 or for use by an institution in this state.
1 31 Sec. 5. Section 476C.2, subsection 1, Code 2011, is amended
1 32 to read as follows:
1 33 1. A producer or purchaser of renewable energy may
1 34 receive renewable energy tax credits under this chapter in
1 35 an amount equal to one and one-half cents per kilowatt-hour



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House File 672 - Introduced continued

2 1 of electricity, or four dollars and fifty cents per million
2 2 British thermal units of heat for a commercial purpose, or
2 3 four dollars and fifty cents per million British thermal units
2 4 of methane gas or other biogas used to generate electricity,
2 5 or one dollar and forty=four cents per one thousand standard
2 6 cubic feet of hydrogen fuel generated by and purchased from
2 7 an eligible renewable energy facility or used for on=site
2 8 consumption by the producer.

2 9 Sec. 6. Section 476C.3, subsection 1, paragraph e, Code
2 10 2011, is amended to read as follows:

2 11 e. A Except when the renewable energy is produced for
2 12 on=site consumption by the producer, a copy of the power
2 13 purchase agreement or other agreement to purchase electricity,
2 14 hydrogen fuel, methane or other biogas, or heat for a
2 15 commercial purpose which shall designate either the producer
2 16 or purchaser of renewable energy as eligible to apply for the
2 17 renewable energy tax credit.

2 18 Sec. 7. Section 476C.3, subsection 3, Code 2011, is amended
2 19 to read as follows:

2 20 3. a. A facility that is not operational within thirty
2 21 months after issuance of an approval for the facility by
2 22 the board shall cease to be an eligible renewable energy
2 23 facility. However, a wind energy conversion facility that is
2 24 approved as eligible under this section but is not operational
2 25 within eighteen months due to the unavailability of necessary
2 26 equipment shall be granted an additional twenty=four months to
2 27 become operational.

2 28 b. A facility which notifies the board prior to the
2 29 expiration of the time periods specified in paragraph "a"
2 30 that the facility intends to become operational and wishes
2 31 to preserve its eligibility shall be granted a twelve=month
2 32 extension. An extension may be renewed for succeeding
2 33 twelve=month periods if the board is notified prior to the
2 34 expiration of the extension of the continued intention to
2 35 become operational during the succeeding period of extension.



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3 1 c. If the owner of a facility discontinues efforts to
3 2 achieve operational status, the owner shall notify the board
3 3 within thirty days of such discontinuance that the owner no
3 4 longer seeks a tax credit pursuant to this chapter. Upon
3 5 receipt of such notification, the board shall no longer
3 6 consider the facility as an eligible renewable energy facility
3 7 under this chapter.

3 8 d. A facility that is granted and thereafter loses approval
3 9 may reapply to the board for a new determination.

3 10 Sec. 8. Section 476C.3, subsection 4, Code 2011, is amended
3 11 to read as follows:

3 12 4. The maximum amount of nameplate generating capacity
3 13 of all wind energy conversion facilities the board may find
3 14 eligible under this chapter shall not exceed three hundred
3 15 ~~thirty~~ sixty=three megawatts of nameplate generating capacity.
3 16 The maximum amount of energy production capacity equivalent
3 17 of all other facilities the board may find eligible under
3 18 this chapter shall not exceed a combined output of ~~twenty~~
3 19 ~~fifty=three~~ megawatts of nameplate generating capacity and one
3 20 hundred sixty=seven billion British thermal units of heat for a
3 21 commercial purpose. Of the maximum amount of energy production
3 22 capacity equivalent of all other facilities found eligible
3 23 under this chapter, fifty=five billion British thermal units of
3 24 heat for a commercial purpose shall be reserved for an eligible
3 25 facility that is a refuse conversion facility for processed,
3 26 engineered fuel from a multicounty solid waste management
3 27 planning area. The maximum amount of energy production
3 28 capacity the board may find eligible for a single refuse
3 29 conversion facility is fifty=five billion British thermal units
3 30 of heat for a commercial purpose.

3 31 Sec. 9. Section 476C.4, subsections 1 and 2, Code 2011, are
3 32 amended to read as follows:

3 33 1. A producer or purchaser of renewable energy may apply to
3 34 the board for the renewable energy tax credit by submitting to
3 35 the board all of the following:



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- 4 1 a. A completed application in a form prescribed by the
4 2 board.
- 4 3 b. A copy of the determination granting approval of the
4 4 facility as an eligible renewable energy facility by the board.
- 4 5 c. A copy of a signed power purchase agreement or other
4 6 agreement to purchase electricity, hydrogen fuel, methane or
4 7 other biogas, or heat for a commercial purpose from an eligible
4 8 renewable energy facility which shall designate either the
4 9 producer or purchaser of renewable energy as eligible to apply
4 10 for the renewable energy tax credit.
- 4 11 d. Sufficient documentation that the electricity, heat for
4 12 a commercial purpose, methane gas or other biogas, or hydrogen
4 13 fuel has been generated by the eligible renewable energy
4 14 facility and sold to the purchaser of renewable energy.
- 4 15 e. To the extent the produced electricity, hydrogen fuel,
4 16 methane or other biogas, or heat for a commercial purpose is
4 17 used for on=site consumption, the requirements of paragraphs
4 18 "c" and "d" shall not be applicable. For such renewable energy
4 19 production, the owner must submit a certification under penalty
4 20 of perjury that the claimed amount of electricity, hydrogen
4 21 fuel, methane or other biogas, or heat for a commercial purpose
4 22 was produced by the eligible facility and consumed by the
4 23 owner.
- 4 24 ~~e.~~ f. Any other information the board deems necessary.
- 4 25 2. The board shall notify the department of the amount
4 26 of kilowatt=hours, British thermal units of heat for a
4 27 commercial purpose, British thermal units of methane gas or
4 28 other biogas used to generate electricity, or standard cubic
4 29 feet of hydrogen fuel generated and purchased from an eligible
4 30 renewable energy facility or generated and used by the producer
4 31 for on=site consumption. The department shall calculate the
4 32 amount of the tax credit for which the applicant is eligible
4 33 and shall issue the tax credit certificate for that amount or
4 34 notify the applicant in writing of its refusal to do so. An
4 35 applicant whose application is denied may file an appeal with



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House File 672 - Introduced continued

5 1 the department within sixty days from the date of the denial
5 2 pursuant to the provisions of chapter 17A.
5 3 Sec. 10. Section 476C.4, subsection 5, Code 2011, is amended
5 4 to read as follows:

5 5 5. The department shall not issue a tax credit certificate
5 6 if the facility approved by the board as an eligible renewable
5 7 energy facility is not operational within eighteen months after
5 8 the approval is issued, subject to the extension provisions of
5 9 section 476C.3, subsection 3.

5 10 Sec. 11. Section 476C.5, Code 2011, is amended to read as
5 11 follows:

5 12 476C.5 Certificate issuance period.

5 13 A producer or purchaser of renewable energy may receive
5 14 renewable energy tax credit certificates for a ten=year period
5 15 for each eligible renewable energy facility under this chapter.
5 16 The ten=year period for issuance of the tax credit certificates
5 17 begins with the date the purchaser of renewable energy first
5 18 purchases electricity, hydrogen fuel, methane gas or other
5 19 biogas used to generate electricity, or heat for commercial
5 20 purposes from the eligible renewable energy facility for
5 21 which a tax credit is issued under this chapter, or the date
5 22 the producer of the renewable energy first uses the energy
5 23 produced by the eligible renewable energy facility for on=site
5 24 consumption. Renewable energy tax credit certificates shall
5 25 not be issued for renewable energy purchased or produced for
5 26 on=site consumption after December 31, ~~2021~~ 2024.

5 27 EXPLANATION

5 28 This bill relates to tax credits issued for eligible and
5 29 qualifying wind energy and renewable energy facilities.

5 30 The bill reduces the maximum amount of nameplate generating
5 31 capacity for all qualified facilities determined eligible to
5 32 receive the wind energy tax credit pursuant to Code chapter
5 33 476B from 150 megawatts to 50 megawatts, and increases the
5 34 maximum amount of nameplate generating capacity for all wind
5 35 energy conversion facilities determined eligible to receive



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House File 672 - Introduced continued

6 1 the renewable energy tax credit issued pursuant to Code
6 2 chapter 476C from 330 to 363 megawatts. The bill additionally
6 3 increases the maximum amount of energy production capacity
6 4 equivalent of all renewable energy facilities other than wind
6 5 energy conversion facilities determined eligible to receive the
6 6 renewable energy tax credit from 20 megawatts combined with
6 7 other specified British thermal units to 53 megawatts.
6 8 The bill extends the time period during which an eligible
6 9 renewable energy facility seeking to qualify for the renewable
6 10 energy tax credit shall have been placed in service by three
6 11 years to before January 1, 2015, and correspondingly extends
6 12 the existing ten-year duration for credit issuance to December
6 13 31, 2024.
6 14 The bill adds renewable energy produced for on-site
6 15 consumption for a commercial purpose as a form of energy
6 16 produced by a qualifying facility which may apply for the
6 17 credit on or after July 1, 2011, provided that the facility is
6 18 capable of producing not less than three-fourths megawatts of
6 19 nameplate generating capacity or the energy production capacity
6 20 equivalent, and makes conforming changes in Code chapter 476C.
6 21 The bill restricts facilities other than wind energy conversion
6 22 facilities applying for the credit on or after July 1, 2011, to
6 23 a nameplate generating capacity of no greater than 5 megawatts.
6 24 The bill provides that to the extent that electricity,
6 25 hydrogen fuel, methane or other biogas, or heat for a
6 26 commercial purpose is used for on-site consumption, current
6 27 application requirements relating to submission of a signed
6 28 power purchase agreement with a utility and documentation
6 29 regarding the sale of the energy produced are not applicable.
6 30 Instead, the bill provides that the owner must submit a
6 31 certification under penalty of perjury that the claimed amount
6 32 of electricity, hydrogen fuel, methane or other biogas, or heat
6 33 for a commercial purpose was in fact produced by the eligible
6 34 facility and consumed by the owner.
6 35 The bill also provides that a facility which notifies



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House File 672 - Introduced continued

7 1 the Iowa utilities board that the facility intends to become
7 2 operational and wishes to preserve its eligibility for a tax
7 3 credit under Code chapter 476C shall be granted a 12=month
7 4 extension, beyond a current 18=month maximum, which may
7 5 be renewed for succeeding 12=month periods if the board is
7 6 notified prior to the expiration of the period of the continued
7 7 intention to become operational. The bill specifies that
7 8 if the owner of a facility discontinues efforts to achieve
7 9 operational status, the owner shall notify the board within
7 10 30 days, and that upon receipt of such notification the board
7 11 shall immediately remove the facility from eligible status.

LSB 2705HZ (3) 84

rn/nh



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Senate Amendment 3216

PAG LIN

1 1 Amend House File 642, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, by striking lines 3 and 4 and inserting
1 4 <department of transportation for the fiscal year
1 5 beginning July 1, 2011, and ending June 30, 2012, the
1 6 following amounts, or so much thereof as is necessary,
1 7 to>
1 8 #2. Page 1, by striking lines 9 and 10 and
1 9 inserting:
1 10 \$ 3,876,000>
1 11 #3. Page 1, by striking lines 19 and 20 and
1 12 inserting:
1 13 \$ 6,570,000>
1 14 #4. Page 1, by striking lines 22 and 23 and
1 15 inserting:
1 16 \$ 458,000>
1 17 #5. Page 1, by striking lines 25 and 26 and
1 18 inserting:
1 19 \$ 33,921,000>
1 20 #6. Page 1, by striking lines 29 and 30 and
1 21 inserting:
1 22 \$ 225,000>
1 23 #7. Page 1, by striking lines 32 and 33 and
1 24 inserting:
1 25 \$ 7,000>
1 26 #8. Page 2, by striking lines 2 and 3 and inserting:
1 27 \$ 119,000>
1 28 #9. Page 2, by striking lines 6 and 7 and inserting:
1 29 \$ 78,000>
1 30 #10. Page 2, by striking lines 10 and 11 and
1 31 inserting:
1 32 \$ 67,319>
1 33 #11. Page 2, by striking lines 15 and 16 and
1 34 inserting:
1 35 \$ 1,406,000>
1 36 #12. Page 2, by striking lines 20 and 21 and
1 37 inserting:
1 38 \$ 100,000>
1 39 #13. Page 2, by striking lines 24 and 25 and
1 40 inserting:
1 41 \$ 40,000>
1 42 #14. Page 2, by striking lines 28 and 29 and
1 43 inserting:
1 44 \$ 200,000>
1 45 #15. Page 2, by striking lines 31 and 32 and
1 46 inserting:
1 47 \$ 550,000>
1 48 #16. Page 3, by striking line 10 and inserting
1 49 <transportation for the fiscal year beginning July 1,
1 50 2011, and ending June 30, 2012, the following>



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Senate Amendment 3216 continued

2 1	#17. Page 3, by striking lines 17 through 20 and	
2 2	inserting:	
2 3	<.....	\$ 40,356,529
2 4	..... FTEs	296.00>
2 5	#18. Page 3, by striking lines 22 through 25 and	
2 6	inserting:	
2 7	<.....	\$ 8,697,095
2 8	..... FTEs	121.00>
2 9	#19. Page 3, by striking lines 27 through 30 and	
2 10	inserting:	
2 11	<.....	\$230,913,992
2 12	..... FTEs	2,247.00>
2 13	#20. Page 3, by striking lines 32 through 35 and	
2 14	inserting:	
2 15	<.....	\$ 1,413,540
2 16	..... FTEs	445.00>
2 17	#21. Page 4, by striking lines 3 and 4 and	
2 18	inserting:	
2 19	.....	\$ 1,388,000>
2 20	#22. Page 4, by striking lines 6 and 7 and	
2 21	inserting:	
2 22	.....	\$ 138,000>
2 23	#23. Page 4, by striking lines 12 and 13 and	
2 24	inserting:	
2 25	.....	\$ 2,846,000>
2 26	#24. Page 4, by striking lines 16 and 17 and	
2 27	inserting:	
2 28	.....	\$ 800,000>
2 29	#25. Page 4 by striking lines 20 and 21 and	
2 30	inserting:	
2 31	.....	\$ 572,000>
2 32	#26. Page 4, by striking lines 24 and 25 and	
2 33	inserting:	
2 34	.....	\$ 415,181>
2 35	#27. Page 4, by striking lines 27 and 28 and	
2 36	inserting:	
2 37	.....	\$ 242,000>
2 38	#28. Page 4, by striking lines 30 and 31 and	
2 39	inserting:	
2 40	.....	\$ 5,366,000>
2 41	#29. Page 4, by striking lines 33 and 34 and	
2 42	inserting:	
2 43	.....	\$ 400,000>
2 44	#30. Page 5, by striking lines 1 and 2 and	
2 45	inserting:	
2 46	.....	\$ 200,000>
2 47	#31. Page 5, by striking lines 5 and 6 and	
2 48	inserting:	
2 49	\$ 400,000>
2 50	#32. Page 5, by striking lines 9 and 10 and	



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Senate Amendment 3216 continued

3 1 inserting:
3 2 \$ 1,000,000>
3 3 #33. Page 5, by striking lines 12 and 13 and
3 4 inserting:
3 5 \$ 100,000>
3 6 #34. Page 5, by striking lines 16 and 17 and
3 7 inserting:
3 8 \$ 1,000,000>
3 9 #35. Page 5, by striking lines 19 and 20 and
3 10 inserting:
3 11 \$ 2,100,000>
3 12 #36. Page 5, by striking lines 21 through 23.
3 13 #37. Page 5, line 25, by striking <17> and inserting
3 14 <16>
3 15 #38. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS
ROBERT E. DVORSKY, CHAIRPERSON
HF642.2212 (2) 84
tm/jp



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Senate Amendment 3217

PAG LIN

1 1 Amend Senate File 453, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, line 13, by striking <an eighth grade>
1 4 and inserting <any>
1 5 #2. Page 1, line 16, by striking <one year> and
1 6 inserting <a unit>
SF453.2315.H (1) 84
mb



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Senate Amendment 3218

PAG LIN

1 1 Amend House File 461, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, after line 11 by inserting:
1 4 <Sec. _____. NEW SECTION. 483A.8D Special
1 5 nonresident landowner deer hunting licenses.
1 6 1. As used in this section:
1 7 a. "Family member" means a nonresident who is the
1 8 spouse or child of the owner.
1 9 b. "Farm unit" means all parcels of land which are
1 10 certified by the commission pursuant to rule as meeting
1 11 the following requirements:
1 12 (1) Are in tracts of eighty or more contiguous
1 13 acres.
1 14 (2) Are under the lawful control of the owner.
1 15 c. "Owner" means a nonresident who is the owner
1 16 of a farm unit for taxation purposes or is a majority
1 17 investor in the farm unit.
1 18 2. Notwithstanding section 483A.8, subsection
1 19 5, upon written application on forms furnished by
1 20 the department and payment of a fee of one thousand
1 21 dollars, the department shall issue annually two deer
1 22 hunting licenses, one antlered or any sex deer hunting
1 23 license and one antlerless deer only deer hunting
1 24 license, to the owner of a farm unit or to a family
1 25 member of the owner, but limited to a total of two
1 26 licenses for both.
1 27 3. In addition, if an owner of a farm unit or
1 28 a family member of the owner purchases deer hunting
1 29 licenses pursuant to subsection 2, that person may
1 30 purchase additional antlerless deer only deer hunting
1 31 licenses which are valid only for use on the farm unit
1 32 under the same conditions and for the same price as
1 33 resident owners and their family members.
1 34 4. The deer hunting licenses issued shall be valid
1 35 only for use on the farm unit for which the applicant
1 36 applies pursuant to this section.
1 37 5. A person who is issued a deer hunting license
1 38 pursuant to this section may transfer the license to
1 39 another person for use only on the farm unit for which
1 40 the license was issued.
1 41 6. If a farm unit has multiple owners, only one
1 42 owner and that owner's family members may apply for
1 43 licenses pursuant to this section.
1 44 7. The deer hunting licenses issued pursuant
1 45 to this section may be used during any deer hunting
1 46 season.
1 47 8. A person who is issued or to whom a deer hunting
1 48 license is transferred pursuant to this section shall
1 49 be otherwise qualified to hunt deer in this state, pay
1 50 the wildlife habitat fee, and pay the one dollar fee



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Senate Amendment 3218 continued

2 1 for the purpose of deer herd population management,
2 2 including assisting with the cost of processing deer
2 3 donated to the help us stop hunger program administered
2 4 by the commission.
2 5 9. a. A deer hunting license issued pursuant to
2 6 this section shall be attested by the signature of the
2 7 person to whom the license is issued and shall contain
2 8 a statement in substantially the following form:
2 9 By signing this license I certify that I qualify
2 10 as an owner or family member under Iowa Code section
2 11 483A.8D.
2 12 b. A person who makes a false attestation under
2 13 this subsection is guilty of a simple misdemeanor.
2 14 In addition, the person's deer hunting license shall
2 15 be revoked and the person shall not be issued a deer
2 16 hunting license for a period of one year.>
2 17 #2. Title page, by striking line 1 and inserting <An
2 18 Act relating to deer hunting and providing penalties.>
2 19 #3. By renumbering as necessary.

MARK CHELGREN
HF461.2342 (3) 84
av/nh



**Iowa General Assembly
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Senate File 518 - Introduced

SENATE FILE
BY SENG

A BILL FOR

1 An Act creating a program for state procurement from work
2 centers for individuals with disabilities.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSE 2012SS (3) 84
je/rj



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Senate File 518 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 8A.531 Disability work center
1 2 procurement program.
1 3 1. Definitions. For the purposes of this section, unless
1 4 the context otherwise requires:
1 5 a. "Agency" means a department, board, bureau, or commission
1 6 of this state.
1 7 b. "Direct labor" means all labor or work involved in
1 8 producing or supplying materials, supplies, or equipment
1 9 or performing contractual services including preparation,
1 10 processing, and packing, but excluding supervision,
1 11 administration, inspection, and shipping.
1 12 c. "Disabled individual" means an individual who has
1 13 a physical, mental, or emotional disability which is a
1 14 substantial handicap to employment and prevents the individual
1 15 from engaging in normal competitive employment.
1 16 d. "Work center" means a nonprofit corporation organized
1 17 under chapter 504 or a political subdivision, which is licensed
1 18 under section 84A.12, and which is operated for the purpose
1 19 of carrying out a program of rehabilitation for disabled
1 20 individuals and for providing the individuals with remunerative
1 21 employment or other occupational rehabilitating activity of
1 22 an educational or therapeutic nature, and which is engaged in
1 23 the production of materials, supplies, or equipment or the
1 24 performance of contractual services in connection with which
1 25 not less than seventy-five percent of the total hours of direct
1 26 labor are performed by disabled individuals.
1 27 2. Duties of the department. The department shall do all
1 28 of the following:
1 29 a. Aid in the identification of materials, supplies,
1 30 equipment, and contractual services which agencies can procure
1 31 from work centers.
1 32 b. Establish eligibility criteria for work centers
1 33 participating in the program established under this section.
1 34 c. Annually establish and review fair market prices for
1 35 materials, supplies, equipment, and contractual services which



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Senate File 518 - Introduced continued

2 1 can be purchased from work centers.

2 2 d. By October 1 each year, prepare and submit to the

2 3 director an annual report concerning the activities of the

2 4 program, including all of the following:

2 5 (1) A summary of materials, supplies, equipment, and

2 6 contractual services purchased by agencies from work centers.

2 7 (2) The name of each work center participating in the

2 8 program established under this section.

2 9 (3) The impact of the program established under this

2 10 section upon production, work stabilization, and program

2 11 development of, and the number of disabled individuals served

2 12 by, participating work centers.

2 13 e. Annually conduct a review of the prices paid by agencies

2 14 for the materials, supplies, equipment, and contractual

2 15 services provided by work centers and make any adjustments

2 16 necessary to establish a fair market price for all such

2 17 materials, supplies, equipment, and contractual services.

2 18 f. Adopt procedures regarding specifications, time of

2 19 delivery, and designation of materials, supplies, equipment,

2 20 and contractual services to be supplied by work centers. The

2 21 department shall maintain a list of each material, supply,

2 22 piece of equipment, or contractual service to be supplied

2 23 by work centers, and shall assign a number to each item

2 24 on the list. Specifications of the department shall be

2 25 consistent with specifications prescribed by agencies for which

2 26 procurements are made.

2 27 (1) The department may change specifications contained

2 28 in the list maintained under this paragraph "f". Each list

2 29 shall contain a basic specification and the date of the latest

2 30 revision.

2 31 (2) If an agency makes a substantial change in a

2 32 specification on the list maintained under this paragraph

2 33 "f", the department shall assign a new item number. The

2 34 agency shall notify the department of the change prior to the

2 35 effective date of the change.



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Senate File 518 - Introduced continued

- 3 1 g. Review each order and contract for the impact that
3 2 the requirements of subsection 3 have on each supplier or
3 3 contractor, and assure that the requirements do not affect more
3 4 than fifteen percent of the supplier's or contractor's current
3 5 yearly sales or production.
- 3 6 h. Prescribe a surcharge to be paid by each ordering agency,
3 7 which shall be payable to the department within a time and in
3 8 accordance with a procedure specified by the department.
- 3 9 i. Adopt rules pursuant to chapter 17A to administer the
3 10 provisions of this section.
- 3 11 3. Qualification of work centers. To qualify for
3 12 participation under the program established under this section,
3 13 a work center must submit to the department a copy of its
3 14 license issued under section 84A.12 together with the following
3 15 documents, transmitted by a letter signed by an officer of the
3 16 work center:
- 3 17 a. In the case of a nonprofit corporation organized under
3 18 chapter 504, all of the following:
- 3 19 (1) A legible copy of the articles of incorporation of the
3 20 organization showing the date of filing with the secretary of
3 21 state.
- 3 22 (2) A copy of the bylaws of the organization certified by
3 23 an officer.
- 3 24 (3) A copy of a letter from the federal internal revenue
3 25 service indicating that the organization qualifies as a
3 26 tax-exempt organization.
- 3 27 b. In the case of a political subdivision, a copy of the
3 28 ordinance, resolution, or motion authorizing or directing the
3 29 establishment of the work center.
- 3 30 4. Responsibilities of work centers. Each work center
3 31 participating in the program established under this section
3 32 shall do all of the following:
- 3 33 a. Furnish materials, supplies, equipment, and services in
3 34 accordance with orders issued by agencies.
- 3 35 b. Make its records available for public inspection at any



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Senate File 518 - Introduced continued

4 1 reasonable time.

4 2 c. Maintain records of direct labor hours performed in the
4 3 work center by each worker.

4 4 d. Annually submit to the department a certification that
4 5 the work center is qualified to participate in the program
4 6 established under this section.

4 7 e. Comply with applicable occupational health and safety
4 8 standards prescribed by the United States secretary of
4 9 labor, the United States occupational health and safety
4 10 administration, or the department of workforce development.

4 11 f. Maintain an ongoing placement program for disabled
4 12 individuals that includes staff assigned to perform personal
4 13 evaluations and to maintain liaisons with appropriate community
4 14 service organizations.

4 15 g. Maintain a record for each disabled individual employed
4 16 by the work center which includes a written report prepared
4 17 by a licensed physician or psychiatrist, or a qualified
4 18 psychologist, reflecting the nature and extent of the
4 19 disability that causes the individual to qualify as disabled.

4 20 5. Purchase of raw materials. A work center shall seek
4 21 broad competition in the purchase of raw materials and
4 22 components used in the materials, supplies, equipment, or
4 23 services provided to agencies under this section. A work
4 24 center shall inform the department before entering into a
4 25 multiyear contract for raw materials and components.

4 26 6. Violations. An alleged violation of this section by
4 27 a work center shall be investigated by the department. The
4 28 department shall determine whether a violation has occurred.
4 29 If the department determines that a violation has occurred,
4 30 the department may terminate an assignment to the work center
4 31 or suspend an assignment until the department determines the
4 32 violation has been corrected.

4 33 7. Procurement requirements and procedures.

4 34 a. Except as provided this subsection and subsection 8, an
4 35 agency purchasing a material, supply, piece of equipment, or



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Senate File 518 - Introduced continued

5 1 services which is on the list maintained under subsection 2,
5 2 paragraph "f", shall purchase the material, supply, piece of
5 3 equipment, or service from a work center.
5 4 b. Purchase orders shall contain the following:
5 5 (1) The name, material, supply, or equipment number
5 6 assigned by the department, most recent specification,
5 7 quantity, unit price, and place and time of delivery.
5 8 (2) The type of work and location of service required, most
5 9 recent specification, work to be performed, estimated volume,
5 10 and time for completion.
5 11 c. An agency shall issue purchase orders with sufficient
5 12 time for the appropriate work center to produce the materials,
5 13 supplies, or equipment, or provide the services required.
5 14 d. If any commodity on the list maintained under subsection
5 15 2, paragraph "f", is also produced at an institution of the
5 16 state and the commodity conforms to the specifications on the
5 17 list, the ordering agency shall purchase the commodity from the
5 18 institution.
5 19 e. If a specific material, supply, or piece of equipment
5 20 on the list maintained under subsection 2, paragraph "f", also
5 21 appears in the price lists prepared pursuant to section 904.807
5 22 for products supplied by Iowa state industries, the ordering
5 23 agency shall notify and provide Iowa state industries with the
5 24 opportunity to fill the order prior to placing an order.
5 25 f. (1) Paragraph "a" does not apply to purchases of
5 26 printing or stationery.
5 27 (2) Paragraph "a" does not apply to procurements by
5 28 the department relating to information technology or
5 29 telecommunications.
5 30 8. Exceptions. The department shall do all of the
5 31 following:
5 32 a. Grant written authorization to an ordering agency to
5 33 procure materials, supplies, equipment, or services on the list
5 34 maintained under subsection 2, paragraph "f", from commercial
5 35 sources when all of the following conditions are met:



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6 1 (1) The work center to which the order is assigned cannot
6 2 furnish a material, supply, piece of equipment, or service
6 3 within the period specified in the order.
6 4 (2) The material, supply, equipment, or service is
6 5 available from commercial sources in the same quantity and at
6 6 an earlier time than it is available from the work center to
6 7 which the order is assigned.
6 8 b. Issue an authorization to an ordering agency to procure
6 9 materials, supplies, equipment, or services from commercial
6 10 sources when the quantity involved is not sufficient for the
6 11 economical production or provision by the work center to which
6 12 the order is assigned.
6 13 c. Issue an authorization under paragraph "a" or "b"
6 14 promptly upon request by an ordering agency. The authorization
6 15 shall be in the form of a certificate which shall specify the
6 16 quantity and delivery period covered by the authorization.
6 17 9. Prices.
6 18 a. All prices included in the list maintained under
6 19 subsection 2, paragraph "f", shall be determined by the
6 20 department on the basis of fair market prices for materials,
6 21 supplies, equipment, or services similar to those supplied by
6 22 work centers.
6 23 b. Prices for materials, supplies, or equipment shall
6 24 include delivery and packaging, packing, and marketing costs.
6 25 c. Price changes for materials, supplies, or equipment shall
6 26 apply to all orders placed on or after the effective date of
6 27 the change.
6 28 d. Delivery of an order shall be deemed accomplished when a
6 29 shipment is received and accepted by the purchasing agency.
6 30 10. Adjustment and cancellation of orders. If a work center
6 31 fails to comply with the terms of an order from an agency,
6 32 the ordering agency shall make every effort to negotiate
6 33 adjustments before canceling the order.
6 34 11. Quality control.
6 35 a. Materials, supplies, and equipment furnished by work



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Senate File 518 - Introduced continued

7 1 centers under specifications issued by an agency shall
7 2 be manufactured by work centers in accordance with the
7 3 specifications.
7 4 b. Services provided by work centers under specifications
7 5 issued by an agency shall be performed by work centers in
7 6 accordance with the specifications. If no specifications
7 7 exist, the services shall be performed by work centers in
7 8 accordance with reasonable commercial standards of practice in
7 9 the applicable industry.
7 10 c. If the quality of a material, supply, piece of equipment,
7 11 or service received from a work center is not satisfactory to
7 12 the contracting agency, the agency shall advise the department
7 13 and, if the department determines that the quality of the
7 14 material, supply, equipment, or service is unsatisfactory, the
7 15 department shall suspend the eligibility of the work center
7 16 which provided the material, supply, or equipment, or which
7 17 performed the service to participate in the program established
7 18 under this section.
7 19 12. Research and development periods.
7 20 a. No more than once during a two=year period, a work center
7 21 may apply to the department for authorization to begin a period
7 22 of research and development to explore the capability of the
7 23 work center to provide a material, supply, piece of equipment,
7 24 or service to the state that the work center does not currently
7 25 provide. A period shall not last for more than ninety days.
7 26 The department shall not authorize a period for a work center
7 27 for a particular material, supply, piece of equipment, or
7 28 service if such a period has been authorized for another work
7 29 center for the same material, supply, piece of equipment, or
7 30 service, and the period has not yet elapsed. The department
7 31 may approve one additional ninety=day period for a work center
7 32 if the work center reports satisfactory progress for an initial
7 33 period.
7 34 b. At the time of authorization of an initial period for a
7 35 work center, the department shall provide the work center with



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Senate File 518 - Introduced continued

8 1 any available data on annual state purchases; the most recent
8 2 contract specifications, terms and conditions; prices; and,
8 3 when available, samples for the particular material, supply,
8 4 piece of equipment, or service which is to be the subject of
8 5 research and development for the period.

8 6 Sec. 2. NEW SECTION. 84A.12 Licenses for employment of
8 7 workers with disabilities by work centers.

8 8 The department shall issue a license to a nonprofit
8 9 corporation organized under chapter 504 or to a political
8 10 subdivision to operate a work center for the employment of
8 11 workers with a disability who are unable to earn a wage that
8 12 is commensurate with their ability and productivity. The
8 13 department shall adopt rules pursuant to chapter 17A to
8 14 administer this section.

8 15 EXPLANATION

8 16 This bill provides for a program for state agencies to
8 17 procure products from work centers for disabled individuals.
8 18 Such products would consist of materials, supplies, equipment,
8 19 or contractual services. The bill requires a state agency
8 20 which is making a purchase of a product which is on the list of
8 21 products available pursuant to the bill to purchase the product
8 22 from a work center, with certain exceptions.

8 23 The bill provides that the program will be administered by
8 24 the department of administrative services. The bill provides
8 25 definitions for "disabled individual" and "work center". The
8 26 bill sets out duties of the department, including identifying
8 27 products which agencies can procure from work centers,
8 28 establishing eligibility criteria for participating work
8 29 centers, establishing fair market prices for products purchased
8 30 from work centers, reporting on the activities of the program,
8 31 adopting procedures for ordering products from work centers,
8 32 maintaining a list of products available through the program,
8 33 establishing a surcharge for agencies ordering products, and
8 34 adopting other rules as necessary pursuant to Code chapter 17A.

8 35 The bill specifies that a nonprofit corporation organized



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9 1 under Code chapter 504 or a political subdivision may operate
9 2 work centers. The bill requires a nonprofit corporation or
9 3 political subdivision to submit verifying documentation to the
9 4 department to qualify as a work center, including a license to
9 5 operate issued by the department of workforce development.

9 6 The bill sets out responsibilities of work centers,
9 7 including furnishing products ordered by agencies, maintaining
9 8 records of hours worked, submitting annual certification
9 9 of qualification to participate in the program, compliance
9 10 with applicable health and safety standards, maintaining a
9 11 placement program for participants, and maintaining records
9 12 for participants, including a written report by a licensed
9 13 physician or psychiatrist, or a qualified psychologist.

9 14 The bill directs work centers to seek broad competition
9 15 in the purchase of raw materials and components used in the
9 16 products provided to agencies. The bill provides that a work
9 17 center must inform the department before entering into a
9 18 multiyear contract for raw materials and components.

9 19 The bill directs the department to investigate any alleged
9 20 violation of the provisions of the bill. The bill provides
9 21 that the department shall determine if a violation has
9 22 occurred, and may terminate an assignment to a work center
9 23 or suspend an assignment until the department determines the
9 24 violation has been corrected.

9 25 The bill provides that a state agency which is making
9 26 a purchase of a product which is on the list of products
9 27 available pursuant to the bill must purchase the product
9 28 from a work center. The bill provides exceptions from this
9 29 requirement, including purchases of printing or information
9 30 technology, purchases of products also produced by state
9 31 institutions, purchases of products also produced by the state
9 32 prison industries program, purchase orders that cannot be
9 33 satisfied in the necessary time frame, and purchase orders of a
9 34 quantity which a work center cannot economically produce.

9 35 The bill sets out requirements for the contents of purchase



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10 1 orders. The bill requires an ordering agency to issue a
10 2 purchase order with sufficient time for the appropriate work
10 3 center to produce the products required.
10 4 The bill provides that prices for the products offered
10 5 through the program must be based on fair market prices and
10 6 will include delivery and packaging, packing, and marketing
10 7 costs. The bill specifies that delivery of an order is
10 8 accomplished when a shipment is received and accepted by the
10 9 purchasing agency. The bill provides that if a work center
10 10 fails to comply with the terms of an order from an agency, the
10 11 ordering agency must make every effort to negotiate adjustments
10 12 before canceling the order.
10 13 The bill provides that products furnished by work centers
10 14 must meet the specifications of the ordering agency. The
10 15 bill provides that if the quality of a product received from
10 16 a work center is not satisfactory to the contracting agency,
10 17 the agency must advise the department and, if the department
10 18 determines that the quality of the product is unsatisfactory,
10 19 the department must suspend the work center which provided the
10 20 product from the program.
10 21 The bill provides that no more than once during a two=year
10 22 period, a work center may apply to the department for
10 23 authorization to begin a period of research and development
10 24 to explore the capability of the work center to provide a
10 25 product to the state that the work center does not currently
10 26 provide. The bill provides that a period will not last
10 27 more than 90 days. The bill prohibits the department from
10 28 authorizing a period for a work center for a particular product
10 29 if such a period has been authorized for another work center
10 30 for the same product, and the period has not elapsed. The
10 31 bill provides that the department may approve one additional
10 32 90=day period for a work center if the work center reports
10 33 satisfactory progress for an initial period. The bill directs
10 34 the department, at the time of authorization of an initial
10 35 period, to provide the work center with any available data on



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11 1 annual state purchases; most recent contract specifications,
11 2 terms and conditions; prices; and, when available, samples for
11 3 the particular product which is to be the subject of research
11 4 and development for the period.

11 5 The bill directs the department of workforce development to
11 6 adopt rules pursuant to Code chapter 17A for issuing a license
11 7 to a nonprofit corporation or political subdivision to operate
11 8 a work center for the employment of workers with a disability
11 9 who are unable to earn a wage that is commensurate with their
11 10 ability and productivity.

11 11 The bill may cause a political subdivision to offer for sale
11 12 to the public a service or product that competes with private
11 13 enterprise.

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